Department of Education

Regulation of the Chancellor

Number: **A-660**
Subject: **PARENT ASSOCIATIONS AND THE SCHOOLS**
Category: **STUDENTS**
Issued: **November 18, 2021**

SUMMARY OF CHANGES

A-660 sets forth the governance structure of Parent Associations (PAs), Parent-Teacher Associations (PTAs), and Presidents' Councils to ensure the rights of parents are clearly established. This regulation is effective as of the date of its posting and it updates and supersedes Chancellor's Regulation A-660 dated January 19, 2017.

Changes:

- Definitions related to meeting formats (in-person, virtual, and hybrid) were added.
- Eligibility for membership in a PA/PTA has been expanded to include parents of a student attending a 3K or Pre-K program offered by a school under the jurisdiction of the community school district. (Section I.D.1)
- Provisions have been added allowing for the use of a virtually remote platform (VRP) when conducting PA/PTA and Presidents' Council meetings. (Sections I. and II.)
- Voting privileges at PA/PTA and President's Council meetings have been extended to include voting within a VRP. (Sections I.D.3.b. and II.C.)
- Election Meetings for PA/PTAs and Presidents' Councils limited to in-person or within a VRP only. (Sections I.E. and II.C.)
- Notice of Election Meeting for PA/PTAs and Presidents' Councils must include an indication of the meeting format and location, i.e. in-person or VRP. (Sections I.E.5.b. and II.C.4.)
- References to selectors for Community and Citywide Education Councils have been removed.
- PA/PTA and Presidents' Council bylaws must indicate how and where they will host their meetings. (Sections I.I.1. and II.F.1.)
- PA/PTAs and Presidents' Councils should determine when, where and how they will conduct their monthly general membership and executive board meetings. (Sections I.J. and II.G.)
- Quorum for a hybrid meeting format requires at least one executive board member in attendance on school premises; quorum for either in-person or VRP meetings requires at

least 2 executive board members and six parent members from the general membership. (Section I.J.5.a.)

- It is advised that VRP and Hybrid PA/PTA meetings be recorded. (Section I.J.7.)
- PA/PTA and Presidents' Councils may utilize and access bank accounts through online portals provided by the banking institution. (Section III.B.)
- PA/PTA and Presidents' Councils may make payments to vendors through the online payment system of a bank. (Section III.B.)
- PA/PTA and Presidents' Councils may utilize a bank/debit card to pay for goods and services to a vendor in certain circumstances, but withdrawal slips remain prohibited. (Section III.B.2. and 3.)

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ABSTRACT

This regulation sets forth the basic rights and responsibilities for parent associations (PAs), parent-teacher associations (PTAs), and Presidents' Councils. It supersedes Chancellor's Regulation A-660 issued January 19, 2017.

INTRODUCTION

The Chancellor recognizes that parent leadership is the cornerstone of the public schools. PA/PTAs and Presidents' Councils are autonomous and self-governing. School officials' oversight of PA/PTAs and Presidents' Councils is limited to what is necessary to implement and enforce laws, policies, rules and regulations, and to protect the rights of students, parents and staff.

DEFINITIONS

The following definitions apply for purposes of this regulation:

1. The term DOE refers to the New York City Department of Education.
2. A Parent Association (PA) is an organization of the parents of students in a New York City public school created and established by the parents' vote. A PA adopts bylaws, elects officers, and holds regular meetings.
3. A Parent-Teacher Association (PTA) is established when the parent members of a PA vote to amend their bylaws to extend membership to teachers, as well as other categories of staff.
4. A Presidents' Council is an organization of PA/PTA presidents within a given jurisdiction. Each community school district is required to have only one Presidents' Council to represent both elementary and middle schools. Each borough is required to have one Presidents' Council to represent high schools. There must also be one Presidents' Council to represent citywide special education schools (District 75).
5. A school is a self-contained autonomous organization of students under the leadership of a principal. A school has its own staff and uses its own budget to provide a full instructional program.
6. The term district applies to the 32 community school districts and District 75.
7. Bylaws refer to the governing document that establishes the PA/PTA or Presidents' Council and outline the rules that must be followed.
8. The term office refers to an elected position on the executive board of a PA/PTA or

Presidents' Council. The mandatory offices are: president, recording secretary and treasurer. Additional offices may be specified in the bylaws.

9. The term parent, for purposes of this regulation, means the student's parent or guardian, or any person in a parental or custodial relationship to the student. The definition of parent includes birth or adoption parent, step parent, legally appointed guardian, foster parent, and "person in parental relation" to a child currently attending a school.

10. The term person in parental relation refers to a person who has assumed the care of a child because the child's parents or guardians are not available, whether due to, among other things, death, imprisonment, mental illness, living outside the state, or abandonment of the child. Any determinations about who constitutes a person in parental relation must be based on the individual circumstances surrounding guardianship and custodial care of the particular child. A person who provides temporary care for a child (e.g., a babysitter, nanny, or non-custodial relative) does not qualify as a person in parental relation under this regulation. The principal, when necessary, will determine whether an individual is a person in parental relation based on documentation presented at the school.

11. The term calendar days includes weekdays and weekends. For the purposes of written notice sent by backpack or email, the day the notice is distributed counts as the first day. For written notice sent by postal mail, the day after the notice is mailed counts as the first day.

12. The term appropriate superintendent refers to the superintendent with supervisory authority over the PA/PTA's home school. Unless otherwise specified, the term superintendent includes his/her designee.

13. The term in-person refers to on school premises.

14. The term Virtually Remote Platform (VRP) refers to remote platforms used for meetings conducted online, including but not limited to Zoom, Webex or Google Meets.

15. The term hybrid refers to holding an in-person meeting that is simultaneously live streamed on a VRP.

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I. PARENT ASSOCIATIONS/ PARENT-TEACHER ASSOCIATIONS

PA/PTAs are representative of all parents in their schools, including parents of children receiving special education services, English Language Learners, children eligible for free and reduced priced lunch, and children participating in gifted and talented or magnet programs. PA/PTAs must solicit participation and support from all parents. PA/PTAs must comply with all laws, regulations, rules and policies that pertain to their organization and function in a way that respects the rights of students, parents and staff. PA/PTAs must have bylaws to establish a formal structure. (See Section I.I).

Every public school must establish a PA or PTA. There can only be one officially recognized PA/PTA in each school. When a single building houses more than one school, each school is required to establish a separate PA/PTA. A school comprised of multiple "learning communities," "houses," or "academies" reporting to a single principal may establish only one PA or PTA.

A. Establishment of PAs in New Schools

1. The principal must convene a meeting of parents to establish a PA in a new school. The meeting must be held no later than September 30, and may be held in-person or using a VRP.
2. The principal must notify parents of the meeting to establish a PA at least 10 calendar days prior to the meeting, by means calculated to reach all parents (e.g., email, automated call, backpack, postal mail and/or a third party mobile application used by the school). Multiple means of communication may be necessary to ensure that all parents are notified.
3. At least 8 parents should be present at the meeting to establish a PA.

B. Establishment of PTA

1. A PA may become a PTA at any time by voting to amend its bylaws to extend membership to teachers and other categories of school staff.
2. A PTA may revert back to a PA at any time by voting to amend its bylaws to restrict membership to parents. Only parent members of the PTA may participate in this vote.

C. Re-Establishment of PA/PTAs that Have Ceased to Function

1. Reasons PA/PTAs cease to function

a. Failure to elect mandatory officers by the last day of school The PA/PTA ceases to function if it has not held elections or fails to elect at least one mandatory officer – president, recording secretary or treasurer – by the last day of school.

b. Failure to hold elections for mandatory officers in a timely manner.

The PA/PTA ceases to function if it fails to hold a timely expedited election to fill a vacancy in one or more mandatory offices. (See Section I.E.10).

- For vacancies that exist at the opening of the school year, a PA/PTA ceases to function if an expedited election has not taken place by October 15.
- For vacancies that occur during the school year, a PA/PTA ceases to function if an expedited election has not taken place within 60 calendar days from the resignation or removal of the officer.

c. Vacancy in all three mandatory offices. The PA/PTA ceases to function if all three mandatory offices are vacant and none of them can be filled by succession.

d. Failure to conduct business. The PA/PTA ceases to function if it fails to conduct PA/PTA business for 60 consecutive days during the school year. "PA/PTA business" is defined as meetings of the executive board or the general membership.

2. Notification by principal

If the PA/PTA has ceased to function, the principal must notify FACE and the appropriate superintendent promptly.

3. Meeting of parents to re-establish the PA/PTA

a. If the PA/PTA has ceased to function, the principal must convene a meeting of parents where an expedited election will be held to re-establish the PA/PTA. The meeting may be conducted in-person or using a VRP.

b. Written notice must be sent by the principal at least 10 calendar days prior to the meeting, by means calculated to reach all parents (email, backpack, postal mail and/or a third party mobile application used by the school). Multiple means of communication may be necessary to ensure that all parents are notified.

c. The meeting to re-establish the PA/PTA must be held

- No more than 15 calendar days after notification to FACE and the appropriate superintendent if the PA/PTA has ceased to function during the school year.

- No later than September 30 if the PA/PTA has ceased to function over the summer.

d. At least 8 parents should be present at the meeting to re-establish a PA/PTA.

D. PA/PTA Membership

1. Determining parent eligibility

Any parent of a student attending a DOE school or a student in a 3K or Pre-K program offered by a school under the jurisdiction of the community school district is automatically eligible for membership in the PA/PTA in that school.

a. A parent with children in different schools is a member of each respective school's PA/PTA.

b. A parent of a student who attends a non-citywide school full time while on the register of a citywide program must choose whether to be a member of the PA/PTA in the school that his/her child attends or of the school where the student appears on the register.

c. A parent may not designate another individual to serve in his/her place as a member of the PA/PTA.

d. A PA/PTA may not extend membership to individuals who are not otherwise qualified for membership such as honorary members, former members, former officers, mentors or students.

- PA/PTA bylaws may provide for the participation of certain categories of persons not otherwise qualified for membership, such as caretakers and non-custodial family members, provided they are not permitted to serve as PA/PTA officers or committee chairs, or to vote.

2. Determining staff eligibility

a. Staff eligibility
Supervisory staff (principals, assistant principals, and supervisors) and parent coordinators are not eligible to become members of the PTA in the school where they are employed, even if they have a child in the school. All other categories of school staff are eligible for PTA membership.

b. Restrictions on staff participation
School staff are not eligible to serve as members of the executive board or nominating/election committee of the PA/PTA in the school in which they are employed, even if they have a child in the school.
Individuals whose employment is located at the school, but who are paid by a non-DOE funding source for a program that is not part of the regular school day are exempted from this restriction.

3. PA/PTA membership participation
   a. Dues
      While the payment of dues cannot be a condition for participation or membership, a PA/PTA may choose to solicit dues.
   b. Voting
      Every member has the right to vote on all matters presented at general membership meetings. Voting must be in person. Voting by proxy, absentee ballot, or email is not permitted.

      - The election of officers must only be conducted in an in-person meeting or using a VRP. Conducting elections in a hybrid meeting is not permitted.

   c. Conflicts of interest and restrictions on member participation
      PA/PTA members must be careful to avoid acting in circumstances in which their personal interests conflict with their interests as PA/PTA members.
      - Decision Making
      - PA/PTA decisions must be made by participation and vote of only those officers and members who do not have a conflict of interest.
      - Misuse of position
      - PA/PTA officers and members must not use their position to benefit themselves, family members, or business associates.
      - PA/PTA Officer Conflicts of Interest
      - PA/PTA officers must not have a direct or indirect interest in any business transaction, any financial interest, or any business dealing with the school where they are an officer. Therefore, PA/PTA officers cannot work for an organization, directly or indirectly, at their school during the school day, or at an after-school, evening, weekend, holiday, or summer program. PA/PTA officers who own a business cannot, directly or indirectly, do business with their school during the school day, or with an after-school, evening, weekend, holiday, or summer program.
      - In extraordinary circumstances, waivers may be granted by the DOE Ethics Officer.
      - PA/PTA members who have a conflict of interest as defined above may not run for an officer position unless and until they obtain a waiver. (See Section 1.E.6.a.). PA/PTA officers who have a conflict of interest as defined above are subject to removal from office if they fail to obtain a waiver. (See Section IV.E.)
      - PA/PTA Members Conflicts of Interest
      - PA/PTA members who have any direct or indirect interest in any business transaction, any financial interest or any business dealing, as

discussed in Section I.D.3.c, with their school must refrain from participation in any decision relating to that matter. Such interest, whether direct or indirect, must be disclosed to the membership and placed in the minutes of the meeting at which the disclosure was made.

4. PA/PTA membership in other organizations

   PA/PTAs may join any relevant national, state, or city organizations, provided that the organization's policies or bylaws do not conflict with applicable laws or this regulation. Membership approval is required for PA/PTAs to join any organization.

E. Election of PA/PTA Officers

Elections must be conducted in a free, fair, and inclusive manner, providing an opportunity for the full participation of all members. The elections must only be conducted at an in-person meeting, or a meeting on a VRP. Conducting elections in a hybrid meeting is not permitted. No undue pressure or coercion may be exercised by anyone. School officials are prohibited from direct or indirect interference with the PA/PTA election process.

The PA/PTA Nominating Committee or executive board may request guidance from the appropriate Presidents' Council or the appropriate superintendent.

1. Term of office
   PA/PTA officers are elected to serve a one-year term, beginning July 1 and ending June 30 of the following year.
2. Co-officers
   All offices must be held by a single person unless the PA/PTA bylaws explicitly allow for co-officers. Bylaws may allow but must not mandate the sharing of offices. The voting rights of co-officers must be specified in the bylaws. In addition:
   - Co-officers must run together as a slate in order to serve together.
   - Upon the resignation or removal of a co-officer, the remaining co-officer must choose whether to serve alone for the remainder of the term or resign so that the position can be filled by succession or expedited election.
3. Provisions to be included in bylaws
   The PA/PTA bylaws must specify how elections will be conducted. The following processes must be outlined in the bylaws:
   - Formation of Nominating Committee for the annual (spring) elections
   - Solicitation of nominations
   - Verification of eligibility
   - Voting on contested and uncontested offices
   - Ballots

- Certification of elections
- Whether officer vacancies may be filled by succession and, if so, in what order
- Expedited elections

4. Annual (Spring) Elections
   a. Time frame

      Elections of mandatory officers (president, treasurer, and recording secretary) must be held between April 1 and the last day of school, to ensure there will be a PA/PTA in place during the summer and for the opening of school in the fall.

      - Reserving offices for fall elections

      To accommodate parents of incoming students, PA/PTA bylaws may allow for the election of non-mandatory officer positions (e.g., vice president) in the fall. The bylaws must identify reserved positions and the timeframe and process for the election.

   b. Principal notification

   The executive board must notify the principal of the date and time of the annual elections by April 1.

   - If the principal has not been notified by April 1, he/she must request the election date and time from the PA/PTA president. If the PA/PTA president fails to respond within 10 calendar days, the principal must notify all parents at the next general membership meeting.
   - If the PA/PTA has not set an election date and time by May 1, the principal must notify the appropriate superintendent.

5. Notice of Election Meeting (all elections)
   a. A written Notice of Election Meeting must be sent to all parents at least 10 calendar days prior to any PA/PTA election. If quorum (see Section I.J.5.) is not met at the election meeting, a second election meeting must be scheduled, and a written Notice of Election Meeting must be sent to all parents at least 5 calendar days prior to the election. The notice must be posted at the school and sent by means calculated to reach all parents (e.g., email, backpack, postal mail, and/or a third party mobile application used by the school). Multiple means of communication including automated calls may be necessary to ensure that all parents are notified.

      - The executive board must create the notice and submit it to the principal and parent coordinator in time for it to be distributed at least 10 days before the election meeting.
      - The principal or parent coordinator must distribute the notice

promptly to allow the PA/PTA to comply with the notice deadline.

b. The Notice of Election Meeting must be in writing and must include:
   - Date, time, and location of election.
   - Meeting format (in-person or VRP)
   - A list of all executive board positions to be filled.
   - A statement that the only qualification for all offices is that the candidate be a parent of a child in the school.
   - The mechanism(s) by which parents can become candidates for PA/PTA office and the date nominations close.
   - For expedited elections, a statement that all nominations will be taken from the floor at the election meeting.
   - Candidates' names may be included only if nominations are already closed.
   - Term limits, if they are included in the bylaws.
   - Date that notification was distributed to all parents and means of distribution.

6. Candidate rights and responsibilities
   a. Determining candidate eligibility
      - The only qualification for all offices is that the candidate be a parent of a child in the school, or a child in a 3-K or Pre-K program offered by a school under the jurisdiction of the community school district.
      - The following categories of persons are not eligible to run for office:
        - DOE employees, even if they have a child in the school. (See Section I.D.2.b)
        - PA/PTA members who have a conflict of interest are not eligible to run for officer positions unless they have obtained a waiver from the DOE Ethics Officer. (See Section I.D.3.c.)
      - A candidate need not be present at the time of the election to be eligible to run.

   b. Campaigning and addressing the membership

      PA/PTA bylaws must specify one or more mechanisms by which candidates can address the membership prior to the election meeting, but after nominations have been closed. These mechanisms may include distribution of candidate statements and candidate forums. All candidates must be given an equal opportunity to participate in all mechanisms for addressing the membership.

- A notice that includes statements from candidates may be posted on PA/PTA bulletin boards, and distributed to parents in PA/PTA newsletters, through PA/PTA sponsored electronic media or a PA/PTA table.
- All candidate statements must be appropriate. Inappropriate material includes material that is disparaging, defamatory, obscene, or disruptive to the educational process. (See Section I.L.2.c.)

At the elections meeting, candidates must be provided with an opportunity to address the membership prior to voting. If a candidate is not present, another member may read the candidate's statement.

No materials in support of a candidate or a slate of candidates may be distributed or posted on school premises or on the school's website by any candidate, supporter, PA/PTA executive board, or PA/PTA committee. Candidates who violate this provision, directly or indirectly, will be subject to disqualification and may be deemed ineligible for office for that election year.

7. At the election meeting
   a. Determining voter eligibility
      Only members of the PA/PTA at the time of the election are eligible to vote. The principal or designee (who must be a school employee) must verify each individual's eligibility to vote prior to the distribution of ballots.
      A process to verify member eligibility must be determined in cooperation with the school administration prior to the election meeting that best suits the school community. Verification may include, but is not limited to the use of a unique code for eligible voting members, or a pre-registration process.
   b. Voting
      All voting must be done in person, or using a VRP polling feature. Voting by proxy, absentee ballots, or email is not permitted.
      - Uncontested offices

        Where there is only one candidate for any office, the membership may vote to accept that candidate by motion. The result of the motion must be included in the minutes.

      - Contested offices

        When there is more than one candidate for any office, voting must be by ballot.

        For in-person voting, ballots must remain in the meeting room (or in the principal's office with a documented chain of custody) until all the ballots have been counted and the election meeting has been adjourned.

For VRP voting, a printed record of electronic ballots must be maintained among the records of the association and be made available upon request.

Ballots must be counted immediately following the conclusion of voting and in the presence of at least three observers from the general membership.

For in person voting, the PA/PTA must retain ballots on school premises for one year or until the determination of any grievance filed concerning the election, whichever is later.

For VRP voting, records of votes in a PA/PTA election meeting conducted remotely must be retained by the PA/PTA for one year or until the determination of any grievance filed concerning the election, whichever is later.

- Run-off elections

  When two or more candidates are tied for the highest number of votes, a run-off election must be conducted among those candidates only. Whenever possible, run-off elections should be held at the same meeting.

8. Certification of election and record-keeping

   Election results must be recorded on the PA/PTA Election Certification Form, signed by the principal or his/her designee, before the election meeting is adjourned. The designee must be a school employee other than the parent coordinator.

   - By signing the Election Certification Form, the principal or designee certifies that the nomination and election process was conducted in accordance with this regulation and the PA/PTA bylaws.

   The signed certification form must be retained by the PA/PTA, with a copy filed in the principal's office and with the appropriate superintendent.

   The principal, parent coordinator, or school web master must update the School Parent Leader Contact Information System (SPLCI), accessible through the Principal's Portal, within 5 calendar days of the election.

9. Filling officer vacancies by succession or expedited election

   When an officer vacancy is created by resignation or removal, the PA/PTA executive board must notify the membership in writing within 5 calendar days and specify whether the vacancy will be filled by succession or expedited election. The PA/PTA executive board may request guidance from the appropriate Presidents' Council or appropriate superintendent.

   PA/PTA officers may choose to retain their positions and not succeed to a vacant

office.

Any mandatory offices that remain vacant after the order of succession has been followed must be filled by expedited election.

a. Mandatory officer vacancies occurring before the start of the school year
   - If a PA/PTA has one or two mandatory officer vacancies that cannot be filled by succession prior to the start of the school year, the remaining executive board members must conduct an expedited election to fill all mandatory officer vacancies by October 15.
   - If all three mandatory offices are vacant and cannot be filled by succession prior to the start of the school year, the principal must follow the process for re-establishing the PA/PTA. (See Section I.C.3).

b. Officer vacancies after the start of the school year
   - If an office becomes vacant after the start of the school year and cannot be filled by succession, the expedited election process outlined in Section I.E.10 must be followed in the case of a mandatory officer and is recommended in the case of non-mandatory officers.

c. Updating SPLCI

   The principal, parent coordinator, or school web master must update SPLCI within 5 days of the resignation or removal of a mandatory officer, and again within 5 days of the vacancy being filled.

10. Expedited elections

Expedited elections are required to fill mandatory officer vacancies that cannot be filled by succession, to establish PA/PTAs in new schools, and to re-establish PA/PTAs that have ceased to function.

Expedited elections must be conducted according to the rules specified in Section I.E.4 through I.E.8, with the following exceptions:

- The Notice of Election Meeting must include a statement that all nominations will be taken from the floor at the election meeting.
- A parent member who is not seeking office should chair the election meeting. A representative from the appropriate Presidents' Council or superintendent's office may advise the parent chair or chair the meeting if necessary.

11. Language access for PA/PTA elections

Election notices, requests for nominations, ballots, and other election materials should be made available in the languages spoken by parents in the school.

The PA/PTA may seek assistance from the principal in obtaining the appropriate translations.

F. School Leadership Team Elections

Parent representation on the School Leadership Team (SLT) is vital to ensure that parents are included in the development of the School's Comprehensive Educational Plan (CEP) and that the needs and priorities of the school are reflected in the goals of the PA/PTA. The parent members of the PA/PTA must elect the parent representatives to the SLT (See Chancellor's Regulation A-655).

- SLT elections may take place during the same meeting as officer elections
- The election of SLT parent members must take place after the election of PA/PTA mandatory officers
- SLT elections may follow the procedure for expedited elections (See Section I.E.10).

G. Election Grievances

Individuals who believe an election was conducted improperly may submit an election grievance to the appropriate superintendent's office, with a copy to FACE sent to ElectionGrievances@schools.nyc.gov, and the appropriate Presidents' Council. Election grievances in schools spanning multiple grade levels (e.g., K-12 or 6-12) must be filed with the superintendent who supervises the school regardless of grade level and shall be decided by that superintendent. Because it is important for the functioning of PA/PTAs that election results be determined with finality in a timely manner, the rules applicable to election grievances are different from those that apply to other complaints and disputes.

Election grievances must be submitted and will be responded to in writing, in a timely manner as defined in this regulation. Grievances will be sustained only if there is a specific and material violation of either this regulation or the PA/PTA's bylaws.

1. Filing an election grievance. All election grievances:
    - Must be submitted in writing and must state the name of the complainant(s) and include a telephone number or email address where they may be contacted. Anonymous complaints and in-person or telephone complaints will not be accepted.
    - Must be submitted no later than 5 days after the election meeting or announcement of results if later.
    - Must allege a specific, material violation of this regulation or of the PA/PTA's bylaws.
2. Election grievance decision. No later than 10 days after receiving the grievance, the superintendent will issue either a written decision or a notification that the grievance has been referred to FACE.
    - The superintendent may request assistance from the appropriate Presidents' Council in investigating the election or rendering a decision.
    - If the election grievance is referred to FACE, a written decision will be

rendered no later than 10 days after the referral. The decision of FACE is final and binding.

3. Appeal of election grievance decisions

   Decisions of the superintendent may be appealed to FACE. Appeals must be submitted in writing no later than 5 days after the decision.

   - FACE will, within 5 days of receiving the appeal, issue a letter affirming, reversing, or modifying the superintendent's decision. Grounds for reversal/modification are limited to:
     - A mistaken interpretation of this regulation or of the PA/PTA's bylaws.
     - Failure to follow the grievance procedures outlined in this regulation.
     - New information becoming available that was not available at the time the superintendent rendered his/her decision.
   - The decision of FACE is final and binding. All decisions will be made available to the public upon request. When appropriate, personally identifiable information will be deleted from issued decisions.

H. Understanding PA/PTA Officer Responsibilities

PA/PTA officers, and particularly the three mandatory officers—president, recording secretary, and treasurer—are responsible for running the day-to-day affairs of the PA/PTA; communicating with members to inform them and hear their concerns; representing parents on their school's School Leadership Team; attending meetings of the appropriate Presidents' Council; and voting for members of the Community or Citywide Education Councils.

1. Officers' contact information
   a. Information on the Election Certification Form

      Upon being elected, the mandatory officers must provide their contact information, accurately and legibly, on the Election Certification Form. The information must include an email address where they can be reached.

      The contact information will be entered by the school in the SPLCI system. The email address provided will be shared with the appropriate Presidents' Council.

   b. Information for the membership

      In addition to providing officer contact information to the school, the PA/PTA must inform the membership how they may contact the executive board. A list of all PA/PTA officers' names and positions must be posted in the school at the beginning of the school year; thereafter, it must be made available in the

principal's office, at every PA/PTA meeting, and to members upon request.

The list must include:

- A phone number where the PA/PTA can be reached at the school.
- The PA/PTA email address. This can be either the DOE-issued PA/PTA email address or an address established by the executive board.
    - The executive board must determine a process for checking and responding to emails sent to the PA/PTA email address at least once a week.
- An individual email address for each of the three mandatory officers. Non-mandatory officers may choose to provide individual email addresses as well.
    - Personal phone numbers may be included at the discretion of each officer.
    - No home addresses must be included.

2. Communications to the membership

   The PA/PTA email account, list serve, website, social media accounts, and any other mode of communication linked to the PA/PTA must be used exclusively for PA/PTA purposes.

   These modes of communication must not be used to endorse an individual candidate or slate of candidates in any election.

3. Training

   Newly elected officers are responsible for familiarizing themselves with this regulation and the PA/PTA bylaws in order to fully understand their role. To gain a more complete understanding of what is expected of them, officers should also avail themselves of training opportunities provided by the Presidents' Council, the superintendent, and FACE.

4. PA/PTA president's responsibilities

   The PA/PTA president is a mandatory member of the School Leadership Team and a member of the district/borough Presidents' Council. In addition to the duties specified in the bylaws for the office of president, PA/PTA presidents must carry out the responsibilities pertaining to membership in those organizations.

   a. Presidents' Council

      The PA/PTA president is automatically a member of the Presidents' Council.

      - Co-presidents must decide which one will serve on the Presidents' Council.

- If the president is unable to serve on the Presidents' Council, he/she must nominate a designee to serve in his/her stead. The designee:
  - Must be a member of the PA/PTA.
  - Must be approved by a vote of the membership. Once approved, the designee may not be removed by the president who nominated him/her without a vote of the membership.
  - Must provide a personal email address to the Presidents' Council.
- The Presidents' Council member—whether the PA/PTA president or designee—must attend meetings of the Presidents' Council regularly, communicate information from those meetings to the PA/PTA membership, and solicit feedback to share with the Presidents' Council.
- A Presidents' Council member who is unable to attend a given Presidents' Council meeting should make every effort to find a PA/PTA member to attend in his/her place.

b. School Leadership Team

The PA/PTA president is a mandatory member of the SLT. (See Chancellor's Regulation A-655) The PA/PTA president is responsible for communicating to the membership information discussed at SLT meetings, including the CEP and the public view of the budget from DOE's Galaxy budgeting system.

- In the case of co-presidents, the remaining PA/PTA officers must decide which one will serve on the SLT.
- If a president is unable to serve on the SLT, he/she must nominate a designee to serve in this position. The designee must be approved by the membership.

I. PA/PTA Bylaws

Bylaws are the document that establishes and governs the PA/PTA. All PA/PTAs must have bylaws; bylaws cannot be suspended and should be amended periodically to reflect current PA/PTA needs and changes to this regulation.

In the absence of bylaws, either because they have not yet been adopted or they cannot be located, the governing document of the PA/PTA shall be this regulation and Robert's Rules of Order Newly Revised, to the extent they do not conflict with this regulation.

1. PA/PTA bylaws must include the following:
   - The organization's name
   - A statement of objectives

- Qualifications for membership
- The list of officers, including duties and term limits (if any)
- The process for conducting elections
- The composition of the executive board, a mechanism for setting the day and time of meetings, and quorum.
- The day and time of general membership meetings, and a mechanism for calling special membership meetings
- Any standing committees and their duties
- The responsibilities of parent representatives on the SLT
- Processes by which financial affairs will be conducted
- A process for amending the bylaws
- A process for how and where they will host meetings of the association

2. Establishing bylaws

   In new schools and schools where the bylaws cannot be located, establishing the PA/PTA bylaws must be the first order of business after the mandatory officers—president, recording secretary, and treasurer—have been elected.

   The PA/PTA Bylaws Template, available on the DOE website, may be used to create an initial draft of proposed bylaws to be submitted for adoption by the membership. This may occur at the meeting to establish or re-establish the PA/PTA, after the election of officers; in the alternative, the newly-elected executive board may draft proposed bylaws and call a special membership meeting at which the bylaws will be adopted.

3. Reviewing and amending bylaws

   PA/PTAs must review, and if necessary amend, their bylaws every three years and whenever this regulation is revised.

   - After review, the bylaws must be re-adopted by a vote of the membership regardless of whether any amendments have been made.
   - The title page must show the date of approval by membership and the signatures of the PA/PTA president and recording secretary at the time of adoption.

4. Compliance with Chancellor's Regulation A-660

   This regulation is the primary governing document for all PA/PTAs. In the event that a PA/PTA's bylaws contain any provision that conflicts with this regulation:

   - The provision shall be deemed null and void, and the language of this regulation shall be deemed controlling.

- The provision may be amended by motion at any general membership meeting. The motion may be made by any PA/PTA member, must be voted on at the same meeting, and requires approval by two-thirds of the members present.
- All remaining provisions that are not in conflict with this regulation shall remain in full force and effect.

PA/PTA bylaws are subject to review and approval by FACE.

5. Record-keeping and making bylaws available

The original, signed PA/PTA bylaws must be kept on school premises. A digital copy of the bylaws should be available to share with membership.

A copy must be given to the principal, who must ensure that the current version is available in his/her office.

The PA/PTA executive board must ensure that a copy of the bylaws is made available at every meeting, and to members upon reasonable request.

Whenever possible, bylaws should be made available in all languages that parents speak. Bylaw templates are available on the DOE website in all languages covered by Chancellor's Regulation A-663. If necessary, the principal must assist the PA/PTA executive board in ensuring that translated bylaws are made available to all parents.

J. Holding PA/PTA Meetings

PA/PTAs must hold at least 9 monthly general membership meetings per school year. Executive board meetings should be held on a monthly basis during the school year. Except as specifically noted below, the same rules apply to convening and holding general membership and executive board meetings.

1. Day and time of meetings
   a. General membership meetings

The PA/PTA bylaws must specify the day and time when general membership meetings are to be held (e.g., last Tuesday of the month at 7:00 pm) and a mechanism for rescheduling individual meetings if necessary to increase attendance.

At the beginning of every school year, the executive board must survey the parent members to determine the day, time, location, and format (in-person, virtual, or hybrid) for the monthly general membership meeting.

The executive board must determine its capacity to host meetings using a particular format before presenting it to the general membership for approval. If the PA/PTA is unable to conduct general membership meetings in either a virtual or hybrid format, it must continue to conduct in-person meetings.

   b. Executive board meetings

The PA/PTA bylaws must include a mechanism for scheduling monthly meetings of the executive board. This may be a specified day and time (e.g., the first Tuesday of the month at 6:00 pm), or a deadline by which the executive board must issue a schedule of meetings for the current school year.

c. Special meetings

Special meetings of the membership or the executive board may be held to address important matters that cannot be postponed until the next regularly scheduled meeting. Special meetings should follow the same procedures as regularly scheduled meetings, except that they may be convened upon 48 hours' notice.

2. Meeting notices

a. Notice deadlines

Written notice of all PA/PTA meetings must be posted at the school and sent to the membership at least 10 calendar days prior to the meeting by means calculated to reach all parents (e.g., email, backpack, postal mail, and/or a third party mobile application). Multiple means of communication (including automated calls) may be necessary to ensure that all parents are notified.

For special meetings as described in Section I.J.1.c above, notice may be shortened to 48 hours.

b. Responsibility for creating and distributing meeting notices

The PA/PTA executive board is responsible for drafting all meeting notices and submitting them to the principal and parent coordinator in time for distribution to all members as provided in Section I.J.2.a above.

Meeting notices should be made available in the languages spoken by parents in the school. The PA/PTA should use the Notice Template available on the DOE website and should seek assistance from the principal in obtaining the appropriate translations.

The principal and parent coordinator must distribute all notices promptly to allow the PA/PTA to comply with notice deadlines.

3. Location of meetings

All general membership and executive board meetings must be held in a manner that will maximize attendance and promote participation of its members. Meetings may be in person, hybrid, or virtual.

- If an appropriate location that is accessible to people with disabilities exists within the school, in-person and hybrid meetings must be held in that location.
- Meetings may be conducted virtually on a platform that allows for a

dial-in option.

- Hybrid meetings must be physically convened in the school building. PA/PTA bylaws may provide that members participating from remote locations may be counted toward quorum and are allowed to vote, using established voting protocols for virtual/hybrid meetings.
- Committee meetings may be held virtually or at locations convenient to the members.

4. Conducting meetings

Except as specified in this regulation or the PA/PTA bylaws, PA/PTA meetings must proceed according to *Robert's Rules of Order Newly Revised*.

The PA/PTA president should chair all general membership and executive board meetings. PA/PTA bylaws must specify who will chair a meeting in the president's absence. Under no circumstance may the principal or parent coordinator chair a PA/PTA meeting.

5. Quorum
   a. General membership meetings
      - The quorum requirement for all general membership meetings is a minimum of 8 PA/PTA members, including at least 2 executive board and 6 parent members. At least 1 executive board member must be present at the school to conduct a meeting in a hybrid format.

        In the absence of quorum, a PA/PTA cannot authorize the expenditure of funds or vote on any business but may have non-binding discussions.

      - The PA/PTA executive board may seek assistance from the school's parent coordinator, the appropriate Presidents' Council or superintendent to improve meeting attendance when the PA/PTA's attempts at outreach do not yield quorum at a general membership meeting.

        In exceptional circumstances, a PA/PTA may seek a waiver of the minimum quorum requirement from FACE.

   b. Executive board meetings

      The quorum requirement for executive board meetings must be specified in the PA/PTA bylaws.

6. Attendance and participation
   a. General membership meetings

      PA/PTA general membership meetings must be non-exclusive and open to the general public in accordance with NYS Education Law § 414.

      Individuals who are not members of the PA/PTA may attend general membership meetings as observers, but may participate in discussions only at

the discretion of the president or meeting chair.

b. Executive board meetings

All PA/PTA members are entitled to attend meetings of the executive board. The bylaws should address the extent to which they may participate in discussions.

Individuals who are not members of the PA/PTA may attend executive board meetings only with approval of the executive board.

7. Minutes

Minutes must be taken at all general membership meetings.

- A draft of the minutes must be distributed at the next scheduled meeting for review and approval.
- The PA/PTA bylaws may provide further guidance as to permissible recording procedures and equipment.
- Minutes need not be taken at committee and executive board meetings, but the chair must provide regular updates at general membership meetings.
- For hybrid or virtual meetings, the PA/PTA should maintain a recording of the video and/or audio of the meeting.

K. Maintaining and Transferring PA/PTA Records

All PA/PTA records, whether in paper or electronic form, must be maintained on school premises.

1. What records must be kept and for how long

The following PA/PTA records must be kept for 6 years: bylaws and related amendments; meeting notices, agendas, and minutes; records of officer elections other than ballots; and financial records. (See Section III for more information regarding retention of financial records).

Other PA/PTA records should be kept as long as needed. PA/PTA records that are being used in a legal action must be retained for the entire period of the legal action.

Special attention must be paid to ensuring that documents created in electronic form remain available and accessible, either in electronic or paper form, for the required period of time.

2. Transfer of records

At the end of their term, outgoing executive board members must ensure that all records (including electronic) are transferred to the newly elected executive board. The transfer must take place on school premises, in the presence of the principal, as soon as practicable following the election.

Outgoing executive board members must not retain copies of any PA/PTA records that contain PA/PTA members' contact information (e.g., email lists), or information that can be used to access the PA/PTA's accounts (e.g., usernames and passwords, account and PIN numbers).

3. Responsibilities of individual officers

   Prior to the conclusion of their respective terms:

   - The president must provide to the newly elected president login information for all the PA/PTA's accounts (e.g., email, website, memberships, bank and other financials), as well as the password to the PA/PTA's computer and any keys to desks, filing cabinets, and safes.
   - The recording secretary must make arrangements to provide to the newly elected recording secretary the PA/PTA's bylaws, meeting notices, agendas, and minutes from both general membership and executive board meetings.
   - The treasurer must make arrangements to provide to the newly elected treasurer all the PA/PTA's financial records, the EIN and all information needed to access bank and other financial accounts, as well as information on the method of accounting and financial record keeping used by the PA/PTA.

L. PA/PTA Rights and Responsibilities

Although PA/PTAs work closely with school leaders, self-determination must be the rule and not the exception when it comes to the governance of PA/PTAs. PA/PTAs are responsible for their own actions and for the conduct of their own affairs. The principal, parent coordinator, and other school officials must not interfere, directly or indirectly, in the PA/PTA's internal affairs, including the election of officers and allocation of funds.

1. Accessing information and consultation with the principal

   Regular communication between the principal and the PA/PTA is essential for the PA/PTA to achieve its goals. Except in situations requiring immediate action, the PA/PTA must receive information in a manner that allows it to be heard on matters that affect the school. Whenever possible, principals should consult parents at each stage of planning initiatives for the school.

   a. The PA/PTA executive board has the right to receive from the principal:
      - Upon request, full and factual information on student testing schedules and student achievement data.
      - No later than October 15 of each year, a written report of all school fundraising activities, including income and expenditures for each month of the previous year and anticipated income for each month of the current school year.

- No later than December 15 of each year, an abridged summary of the school safety plan, discipline code, and attendance plan.
- Information relating to the school-based budget, including the Comprehensive Educational Plan (CEP) and the public view of the budget from the DOE's Galaxy budgeting system available on the school's portal.
- Copies of pertinent Chancellor's Regulations.

b. Consultation with the principal

The principal must meet at least quarterly with the PA/PTA executive board. This requirement may be satisfied by having the principal attend all or part of the regularly executive board meetings. Topics for discussion may include:

- Setting school and PA/PTA goals.
- Planning for upcoming PA/PTA fundraisers.
- Review of PA/PTA Interim and Annual Financial Reports.
- Building issues, including matters affecting student health and welfare.
- In buildings with more than one school, the executive boards of all the PA/PTAs in the building may choose to hold joint meetings to consult with all the principals on building issues.

2. Posting and distributing PA/PTA notices and materials

PA/PTAs have the right to request assistance from the principal to distribute information and materials to parents.

a. Distributions to PA/PTA members

Pursuant to the Family Educational Rights and Privacy Act (FERPA), schools may not give PA/PTAs the names, addresses, or any other contact information of a student or parent without the parent's written consent.

To ensure that PA/PTA meeting notices and information can reach all parents, the principal must provide assistance to the PA/PTA in distributing materials. Multiple means of communication (e.g., email, automated call, backpack, postal mail, and/or a third party mobile application used by the school) may be necessary.

Principals must facilitate distribution of PA/PTA membership surveys that are required or encouraged under this regulation.

The executive board must ensure that any member contact information acquired by the PA/PTA is safeguarded from disclosure and is used only for legitimate, official PA/PTA purposes, and not for personal communications.

b. Posting PA/PTA materials

PA/PTAs have the right to post material in the school at places designated by the principal as well as on the school's website.

For materials posted in the school, the designated place must be visible to parents when entering the building.

PA/PTAs have the right to post meeting notices on the school's website, and may submit a request to the principal to post additional information on the website, such as bylaws, flyers, and bulletins.

c. Suitability of materials to be distributed

Materials for posting or distribution may include printed literature such as special editions, bulletins, flyers, notices, posters, surveys and buttons. All materials posted in the school or on the school's website, or distributed to students and parents, must be suitable and appropriate.

Unsuitable and inappropriate material includes material that is defamatory, obscene or age-inappropriate, or disruptive to the educational process.

All PA/PTA materials to be posted or distributed must be reviewed by the principal for suitability and appropriateness, but may not be edited or censored by the principal or other school staff.

- The principal must render a decision within 24 hours of receiving the material to be posted or distributed.
- The PA/PTA may appeal the principal's decision to the appropriate superintendent.

  The principal's name and signature must not be affixed to any PA/PTA material.

3. Using school facilities
   a. Use of school buildings outside of school hours

PA/PTAs are entitled to free use of school buildings, including school safety or security coverage, for up to 110 hours per year outside of school hours. The executive board is responsible for obtaining the necessary permits.

- These hours are for the exclusive use of the PA/PTA and are non-transferrable to other groups or organizations.
- The 110 hours may be used 12 months a year; unused hours may be rolled over month-to-month but expire at the end of the school year.
- If there is more than one school in the building, each PA/PTA is entitled to 110 hours of free use per year.
- PA/PTAs may charge admission fees and receive donations, contributions,

or collections for programs or activities they sponsor in school facilities during non-instructional hours in accordance with their bylaws and Chancellor's Regulation D-180.

- Under Chancellor's Regulation D-130, PA/PTAs are prohibited from holding candidate forums for any political or community-based organization. PA/PTAs may hold candidate forums only for the election of their officers.

b. Use of school buildings during school hours

PA/PTAs that wish to use the school building during school hours must obtain permission from the principal. Use of the school building during school hours does not count against the 110 hours per year of free use.

c. Resources for PA/PTA use

Wherever possible, the principal should designate a room or space for PA/PTA use. The executive board must be provided with the following:

- A locked location for the storage of PA/PTA records.
- Use of a computer with video and audio capabilities and internet access.
- Assistance in printing notices, agendas, minutes, and election materials required under this regulation (e.g., ballots).
- Reasonable access to duplicating services.
- The ability to receive postal mail at the school, including a secure location for storing mail.

M. District/Borough Supports and Responsibilities

1. Presidents' Councils

PA/PTAs may request assistance or guidance from the appropriate Presidents' Council regarding any aspect of their work. A request for assistance may be made by the PA/PTA executive board, an individual officer or a member; however, the Presidents' Council must inform the PA/PTA executive board of the request before taking any action.

2. District/Borough Offices

Each District/Borough Office includes a staff member specifically charged with the support of parent leaders. PA/PTAs may request assistance or guidance from this staff member regarding any aspect of their work.

N. Fundraising

PA/PTAs are permitted to conduct fundraisers. See Section III for more detailed information regarding fundraising and other financial affairs.

II. PRESIDENTS' COUNCILS

Presidents' Councils are independent parent leadership organizations that empower parents and provide assistance to PA/PTAs on a district, borough, or citywide level. Presidents' Councils must solicit participation and support from all their constituent PA/PTAs. Presidents' Councils must comply with all laws, policies, rules, and regulations that pertain to their organization and function in a way that respects the rights of students, parents, and staff. Presidents' Councils must have bylaws to establish a formal structure.

A. Establishment and Re-Establishment of Presidents' Councils

The appropriate superintendent is responsible for establishing and ensuring the continuation of the Presidents' Council in all community school districts for elementary and middle schools, in all boroughs for high schools, and citywide for District 75 schools. A Presidents' Council must be re-established if it has ceased to function.

1. Reasons a Presidents' Council ceases to function
   a. Failure to elect a president by September 30
      - The Presidents' Council ceases to function if it has not held elections or fails to elect at least the president by September 30.
   b. Failure to fill a vacancy in a mandatory office in a timely manner

      The Presidents' Council ceases to function if it fails to hold a timely expedited election to fill a vacancy in one or more mandatory offices within 60 calendar days from the resignation or removal of the officer.

      - The Presidents' Council's mandatory officers are president and recording secretary. If the Presidents' Council has a bank account, it must also have a treasurer.
      - Presidents' Councils' bylaws may provide for additional officers.
   c. Failure to conduct business

      The Presidents' Council ceases to function if it fails to conduct business for 60 consecutive days during the school year. Presidents' Council business is defined as meetings of the executive board or the general membership.

2. Notification by superintendent

   If the Presidents' Council has ceased to function, the superintendent must notify FACE promptly.

3. Meeting of PA/PTA presidents to re-establish the Presidents' Council
   a. The superintendent must convene a meeting of constituent PA/PTA presidents where an election will be held to re-establish the Presidents' Council.
   b. Written notice must be sent by the superintendent to all the constituent PA/PTA presidents at least 10 calendar days prior to the meeting.

c. The meeting must be held no later than 15 calendar days after the superintendent notifies FACE.

B. Presidents' Council Membership

1. Determining membership eligibility
   a. All PA/PTA presidents in the district or borough are automatically eligible for membership in the Presidents' Council of their respective jurisdictions. Each PA/PTA is entitled to only one representative on any one Presidents' Council.
      - If a PA/PTA has co-presidents, the co-presidents must decide which one will serve as the Presidents' Council member.
      - Schools that span multiple grade levels (e.g., K-12, 6-12) are entitled to membership in both their district and borough Presidents' Councils.
        - Unless the school has co-presidents for the different grade levels, the PA/PTA president must attend both district and borough Presidents' Council meetings or choose a designee to represent the school at the Presidents' Council he/she will not attend.

   b. Designees
      - If the PA/PTA president is unable to attend Presidents' Council meetings, a designee must be chosen to serve on the Presidents' Council in the president's stead. All designees:
        - must be members of the PA/PTA.
        - are appointed by the president but must be approved by a vote of the general membership, recorded in the minutes of the meeting at which the vote took place.
        - must be listed on the PA/PTA Election Certification Form.
        - are the PA/PTA's only representative on the Presidents' Council, with full voting rights.
        - Once approved, designees may only be removed by a vote of the membership.

   c. Presidents' Council membership restrictions

      DOE employees may not serve on the Presidents' Council for the district or borough where they are employed.

2. Presidents' Council membership participation
   a. Dues

      While the payment of dues cannot be a condition for membership or participation, a Presidents' Council may choose to solicit dues from its constituent PA/PTAs. If a Presidents' Council plans to solicit dues, it must first elect a treasurer (revising the bylaws if necessary) and open a bank account.

   b. Conflict of interest

      The conflict of interest provisions established for PA/PTAs and PA/PTA officers in

Section I.C.3.c apply equally to Presidents' Councils and Presidents' Council officers.

C. Election of Presidents' Council Officers

Presidents' Councils must hold a single annual meeting in-person or virtually (hybrid is not an option) to nominate and elect officers. Presidents' Councils may seek assistance from the appropriate superintendent in conducting their elections.

1. Term of office
   Presidents' Council officers are elected to serve a one-year term beginning July 1 and ending June 30 of the following year.
2. Election time frame
   Presidents' council elections should be held by June 30, and must be held no later than September 30. The election meeting date should be set to allow constituent PA/PTAs sufficient opportunity to elect their officers and determine their representatives on the Presidents' Council.
3. Superintendent notification and support
   The Presidents' Council must notify the appropriate superintendent of the date and time of their election by June 1.
   - If the superintendent has not been notified by June 1, the superintendent must request the date and time of the annual election from the Presidents' Council president.
   - If the election is not completed by June 30, the superintendent will provide necessary assistance to ensure that the election is completed by September 30.
4. Notice of Election Meeting

   A written Notice of Election Meeting must be sent to all members of the Presidents' Council at least 10 calendar days prior to the election.

   - The Presidents' Council executive board must create the notice in time to ensure it is distributed to all PA/PTA presidents or designees at least 10 days before the election meeting.

   The executive board may seek assistance from the appropriate superintendent in order to ensure the notice reaches all Presidents' Council members. The superintendent must distribute the notice promptly.

   - The Notice of Election Meeting must be in writing and must include:
   - Date, time, and location of election.
   - A list of all positions to be filled at the election.
   - A statement that all nominations will be taken from the floor.
   - Term limits, if they are included in the bylaws.
   - Date the notice was distributed to members.

- Meeting format (in-person or VRP).

5. Determining candidate and voter eligibility
   a. Candidate eligibility
      Constituent PA/PTA presidents or co-presidents who have been elected to serve for the following school year, and designees who have been approved by a vote of the general membership, are eligible to run for office.
   b. Voter eligibility
      All current members of the Presidents' Council at the time of the election are eligible to vote.
      Individuals who will begin their membership the following school year are not eligible to vote.
   c. Candidate and voter verification
      Candidates and voters must present documentation of their status as PA/PTA presidents or designees at the time the Presidents' Council elections are held. Where Election Certification Forms or designee letters are not available, a signed statement that the candidate or voter is a duly elected PA/PTA president or designee of same may be substituted.
      - Candidates and voters who provided a signed statement will be disqualified if they do not forward to the Presidents' Council an Election Certification Form or designee letter attesting to their eligibility within 5 calendar days of the election.
        - Where disqualifications alter the results of the elections, new elections must be held.
      - The appropriate superintendent shall assist the Presidents' Council in obtaining the necessary Election Certification Forms and designee letters.
6. Conducting Presidents' Council elections

   All Presidents' Council elections must be conducted as expedited elections. (See Section I.E.10) A current member who is not seeking office should chair the election meeting. A representative from the appropriate superintendent may advise the chair or chair the meeting if necessary.

   a. Nominations
      All nominations must be taken from the floor during the election meeting.
   b. Candidate statements
      All candidates must have the opportunity to address the membership after nominations are closed and before voting begins. If a candidate is not present, another member may read the candidate's statement.
   c. Voting
      All voting must be done in-person or virtually. Voting by proxy or absentee ballot is not permitted.
      - Uncontested offices

- When there is only one candidate for an office, the membership may vote to accept that candidate by motion. The result of the motion must be included in the minutes.

- Contested offices
  - When there is more than one candidate for an office, voting must be by ballot.
  - For in-person voting, ballots must remain in the meeting room until all the ballots have been counted and the election meeting has been adjourned.
  - For virtual voting, a printed record of electronic ballots must be maintained among the records of the Presidents' Council and be made available upon request.
  - Ballots must be counted immediately following the conclusion of voting and in the presence of at least one member who is not running for office.
  - The Presidents' Council must retain the ballots for one year or until the determination of any grievance filed concerning the election, whichever is later.

d. Certification of election and record-keeping

Election results must be recorded on the Presidents' Council Election Certification Form, signed by the appropriate superintendent, before the meeting is adjourned.

- The appropriate superintendent must ensure that the Election Certification form is filled out completely and legibly and that the officers understand their responsibility to provide their contact information to the membership.
- By signing the Election Certification Form, the appropriate superintendent certifies that the election was conducted in accordance with this regulation and the Presidents' Council bylaws.
- The signed certification form must be retained by the Presidents' Council, with a copy filed with the appropriate superintendent and a copy forwarded to FACE.

D. Election Grievances

Individuals who believe an election was conducted improperly may submit an election grievance to FACE, with a copy to both the appropriate superintendent and the CPAC executive board. Because it is important for the functioning of Presidents' Councils that election results be determined with finality in a timely manner, the rules applicable to election grievances are different from those that apply to other complaints and disputes.

Election grievances must be submitted and will be responded to in writing, in a timely manner as defined in this regulation. Decisions will be based on a specific and material violation of either this regulation or the Presidents' Council bylaws.

The procedures and timelines specified in Section I.F for filing PA/PTA election grievances

apply equally to Presidents' Council election grievances except that these grievances must be filed directly with FACE, whose decisions are final and binding.

E. Presidents' Council Officer Responsibilities

1. Officers' contact information
   a. Information on the Election Certification Form
      Upon being elected, the mandatory officers must provide their contact information, accurately and legibly, on the Election Certification Form. Mandatory officers must include an email address where they may be reached.
   b. Information for the membership
      In addition to the contact information provided on the Election Certification Form, the Presidents' Council executive board must make available to the membership a list of all Presidents' Council officers' names and positions. The list must include:
      - The Presidents' Council email address. This can be either the DOE-issued Presidents' Council email address or an address created by the executive board.
        - The executive board must establish a process for checking and responding to emails sent to this email address at least once a week.
      - An individual email address for each mandatory officer. Non-mandatory officers may choose to provide individual email addresses as well.
        - Personal phone numbers may be included at the discretion of each officer, but no home addresses must be included.

   c. Information for CPAC

      The Presidents' Council email address and mandatory officers' contact information provided to the membership under Section 1(b) above must also be provided to the Chancellor's Parent Advisory Council. If the president is unable to attend CPAC meetings, contact information for the president's designee must also be sent to CPAC. (See Section II.J).

2. Communications to membership

   The Presidents' Council email account, list serve, website, social media accounts, and any other mode of communication linked to the Presidents' Council should be used exclusively for Presidents' Council purposes.

   These modes of communication must not be used to endorse an individual candidate or slate of candidates in any election.

F. Presidents' Council Bylaws

Bylaws are the document that establishes and governs the Presidents' Council. All Presidents' Councils must have bylaws; bylaws cannot be suspended and should be amended periodically to reflect current Presidents' Council needs and changes to this

regulation.

In the absence of bylaws, either because they have not yet been established or they cannot be located, the governing document of the Presidents' Council shall be this regulation and *Robert's Rules of Order Newly Revised*, to the extent they do not conflict with this regulation.

1. Presidents' Council bylaws must include the following:
   - Presidents' Council Name
   - A statement of objectives
   - Qualifications for membership
   - List of officers, including duties and term limits (if any)
   - The process for conducting elections
   - The composition of the executive board, a mechanism for setting the day and time of meetings, and quorum
   - The day and time of general membership meetings and a mechanism for calling special membership meetings
   - Any standing committees and their duties
   - A process for amending the bylaws
   - A process for determining the format (in-person, hybrid, or virtual) of meetings of the Presidents' Council
2. Establishing bylaws

   If a Presidents' Council does not have bylaws or they cannot be located, establishing a set of bylaws must be the first order of business after the mandatory officers--president and recording secretary, and treasurer if the Presidents' Council has a bank account -have been elected.

   The Presidents' Council Bylaws Template, located on the DOE website, should be used to create proposed bylaws to be submitted for adoption by the membership. This adoption may occur at the meeting to establish or re-establish the Presidents' Council, after the election of officers; in the alternative, the newly-elected executive board may draft proposed bylaws and adopt them at the next regularly scheduled meeting or call a special membership meeting.

3. Reviewing and amending bylaws

   Presidents' Councils must review their bylaws every three years and whenever this regulation is revised.

   - After review, the bylaws must be re-adopted by a two-thirds vote of the membership regardless of whether or not any amendments were made.
   - The title page must show the date of approval by membership and the signatures of the Presidents' Council president and recording secretary at the time of

adoption.

4. Compliance with Chancellor's Regulation A-660

   This regulation is the primary ruling document for all Presidents' Councils. In the event that a Presidents' Council's bylaws contain any provision that conflicts with this regulation:

   - The provision shall be deemed null and void, and the provisions of this regulation shall be deemed controlling.
   - The provision may be amended by a motion of any Presidents' Council member at any general membership meeting. The motion must be voted on immediately.
   - All remaining provisions that are not in conflict with this regulation shall remain in full force and effect.

5. Record-keeping and making bylaws available

   The original signed Presidents' Council bylaws must be sent to FACE and will be maintained by FACE. A copy of the Presidents' Council bylaws must be available at every meeting and provided to members upon request.

G. Holding Presidents' Council Meetings

Presidents' Councils must hold at least 9 monthly general membership meetings per school year. Executive board meetings may be held as necessary and practicable, following the same rules specified for general membership meetings.

1. Day and time of meetings
   a. General membership meetings

      The Presidents' Council bylaws must specify the day and time when general membership meetings are to be held (e.g., last Tuesday of the month at 7:00 pm) and a mechanism for rescheduling individual meetings if necessary to maximize participation.

   b. Executive board meetings

      Presidents' Council bylaws must include a mechanism for scheduling executive board meetings.

   c. Special meetings

      Special meetings of the membership or the executive board may be held to address important matters that cannot be postponed until the next regularly scheduled meeting. Special membership meetings should follow the same procedures as general membership meetings, except that they may be convened upon 48 hours' notice.

2. Notice of meetings

Written notice of the meeting must be sent to the membership at least 10 calendar days prior to the meeting.

- The executive board must create the notice in time to ensure it is distributed to all PA/PTA presidents or designees at least 10 days before the meeting.
    - If the executive board deems it necessary to ensure the notice reaches all members, the executive board may seek assistance from the appropriate superintendent.
    - The superintendent must distribute the notice promptly to allow the Presidents' Council to comply with the notice deadline.

3. Location of meetings
    - The executive board must determine its capacity to host meetings using a particular format (in-person, virtual or hybrid) before presenting it to all PA/PTA presidents for approval. If a Presidents' Council is unable to conduct its meetings in either a virtual or hybrid format, it must continue to conduct in-person meetings.
    - Meetings may be conducted virtually on a platform that allows for a dial- in feature or option.
    - Committee meetings may be held virtually or at locations or on virtual platforms convenient to the members.
4. Conducting meetings

    Except as otherwise specified in this regulation or the bylaws, general membership meetings should proceed according to *Robert's Rules of Order- Newly Revised*. Executive boards may determine the best procedure for their meetings.

    a. Quorum

        The quorum for a general membership and executive board meetings must be specified in the bylaws.

        - In the absence of quorum, a Presidents' Council cannot vote on any business or authorize the expenditure of funds, but may have non-binding discussions.
        - The Presidents' Council executive board may seek assistance from the appropriate superintendent to improve meeting attendance when the Presidents' Council's attempts at outreach do not yield quorum at a general membership meeting.

    b. Attendance and participation

        Presidents' Council general membership meetings must be open to all members of the constituent school communities. Executive board meetings must be open to all Presidents' Council members.

- Individuals who are not members of the Presidents' Council may attend general membership meetings as observers, but may only participate in discussions at the discretion of the president or meeting chair.
- Individuals who are not members of the Presidents' Council may only attend executive board meetings with approval of the executive board.

c. Minutes

Minutes must be taken at all general membership meetings.

- A draft of the minutes must be distributed at the next scheduled meeting for review and approval.
- The Presidents' Council bylaws may provide further guidance as to permissible recording procedures and equipment.
- Minutes need not be taken at committee and executive board meetings, but the appropriate chair must provide regular updates at general membership meetings.

H. Maintaining and Transferring Presidents' Council Records

All Presidents' Council records, whether in paper or electronic form, must be maintained at the office of the appropriate superintendent.

1. What records must be kept and for how long

The following Presidents' Council records must be kept for 6 years: bylaws and related amendments; meeting notices, agendas and minutes; records of officer elections other than ballots; and financial records. (See Section III for more information regarding retention of financial records).

Other Presidents' Council records should be kept as long as needed. Presidents' Council records that are being used in a legal action must be retained for the entire period of the legal action.

Special attention must be paid to ensuring that documents created in electronic form remain available and accessible, either in electronic or paper form, for the required period of time.

2. Responsibilities of individual officers

President

- Prior to the conclusion of the president's term, she/he must make all necessary arrangements to provide to the newly elected president all usernames and passwords for the Presidents' Council email, computer, website and other accounts, as well as any keys to desks and filing cabinets.

Recording Secretary

Prior to the conclusion of the recording secretary's term, she/he must make all necessary arrangements to provide to the newly elected recording secretary the Presidents' Council bylaws, meeting notices, agendas, and minutes from both general membership and executive board members.

Treasurer

- Prior to the conclusion of the treasurer's term, she/he must make the necessary arrangements to provide to the new treasurer all financial records, as well as information on the method of record keeping used by the Presidents' Council.

I. Presidents' Council Rights and Responsibilities

Although Presidents' Councils are supported by and should work closely with their superintendent, they are autonomous entities and must be allowed to operate free from interference or supervision by the superintendent and other school officials. The district's CEC, the CCSE, CCHS, CCELL, and CCD75 have no jurisdiction over the affairs of Presidents' Councils or their constituent PA/PTAs.

1. Support from superintendents
   a. Superintendent's attendance at Presidents' Council meetings
      The appropriate superintendent must attend the Presidents' Council general membership meetings and provide logistical and other supports (e.g., with elections) as specified in this regulation. (See Section II.I.1.c., below.)
   b. Information
      Presidents' Councils have the right to request and receive full and factual information relating to student testing schedules and student achievement data from the superintendent.
      As a member of the District Leadership Team, the Presidents' Council president has the right to obtain the district's Comprehensive Educational Plan (DCEP) and district/borough budget information.
   c. Resources for Presidents' Council use
      Presidents' Councils must be given access to appropriate meeting space in the district/borough offices and provided adequate resources to conduct business, including:
      - Assistance in securing meeting space and any necessary permits.
      - A locked location for the storage of Presidents' Council records.
      - Access to a computer with internet access.
      - Assistance in printing notices, agendas, minutes, and election materials required under this regulation (e.g., ballots).
      - Reasonable access to duplicating services.
      - The ability to receive mail at the appropriate superintendent's office, including a secure location for mail to be stored.

2. Presidents' Council representation on the DLT

   The Presidents' Council president is a mandatory member of the DLT.

   - If the president is unable to attend DLT meetings, a designee must be chosen to serve on the DLT in the president's stead. The designee must be a member of the Presidents' Council, and the appointment is subject to the rules set forth in Section I.G.4.

   The Presidents' Council representative on the DLT—president or designee--is responsible for distributing relevant documents and information obtained at DLT meetings to the Presidents' Council members.

3. Community and Citywide Education Councils
   a. Quarterly meetings with the Community Education Council (CEC)
      Pursuant to state law, all Community Education Councils and community superintendents are required to meet quarterly with the PA/PTA officers in their respective districts. The Presidents' Councils and the corresponding CEC will collaborate to establish a mutually agreeable meeting date and time and agenda topics.
   b. Candidate forums and consultation on filling vacancies
      Pursuant to Chancellor's Regulations D-140, D-150, D-160, and D-170, Presidents' Councils have the responsibility to hold candidate forums for the election of Community and/or Citywide Education Council Members. FACE and the superintendent will be responsible for the logistics of organizing the forums, including scheduling, securing space, and inviting the candidates.
      - Presidents' Councils are prohibited from holding candidate forums for any political or community-based organization. (See Chancellor's Regulation D-130).
      - Presidents' Councils also have the right to participate in the process of filling vacancies on Community and Citywide Education Councils, as specified in the regulations governing the respective councils.

J. Chancellor's Parent Advisory Council (CPAC)

CPAC is a citywide organization that advises the Chancellor on issues of importance to parents of New York City public school students. CPAC also supports the Presidents' Councils by providing information on important issues affecting the schools and guidance in the development of local parent leadership.

1. Membership

   The president of each Presidents' Council is automatically a member of CPAC.

   - Co-presidents must decide which one will serve on CPAC.
   - If the president is unable to attend CPAC meetings, a designee must be chosen to

serve on CPAC in the president's stead. The designee must be a member of the Presidents' Council, and the appointment is subject to the rules set forth in Section I.H.4.

The Presidents' Council CPAC representative is required to provide regular reports to the Presidents' Council on the work of CPAC and to solicit feedback from Presidents' Council members to share with CPAC.

2. Accessing Information

In order for CPAC to effectively advise the Chancellor, the DOE will share information regarding school programs and student achievement with CPAC. Such information will include, but not be limited to, student achievement data in English language arts and math, and comparisons of student achievement in comparable grades and schools.

To facilitate CPAC functioning effectively, the DOE will ensure that members' lists and appropriate contact information are forwarded to the co-chairs of CPAC promptly after Presidents' Council elections have taken place. Members' contact information, CPAC's email account, listserv, website, social media accounts and any other mode of communication linked to CPAC must be used exclusively for CPAC purposes.

K. Fundraising

Presidents Councils are permitted to conduct fundraisers. See Section III for more detailed information regarding fundraising and other financial affairs.

III. FINANCIAL AFFAIRS OF PARENT ASSOCIATIONS AND PRESIDENTS' COUNCILS

PA/PTAs and Presidents' Councils must be responsible for their own financial affairs. PA/PTA and Presidents' Council funds are separate and independent from school, district, borough, or personal funds. PA/PTA and Presidents' Council funds are not included in determining school, district, or borough budgets. To ensure that an organization's financial affairs are aligned with their goals, the general membership of a PA/PTA or Presidents' Council must be involved in the planning of all fundraisers and the expenditure of all funds.

PA/PTA and Presidents' Council Debts – Debts incurred by a PA/PTA or Presidents' Council are the responsibility of the PA/PTA or Presidents' Council and are not the responsibility of the school, district or the DOE.

A. PA/PTA and Presidents' Council Budget

1. Bylaws Budget Process

PA/PTAs and Presidents' Councils must set forth a budget process in their bylaws. This process must meet the minimum requirements set forth in the FACE Bylaws Templates available at https://www.schools.nyc.gov/school-life/get-involved/parent-associations.

2. Proposed PA/PTA and Presidents' Council Budgets

PA/PTA and Presidents' Council executive boards must prepare a proposed budget each year to submit for approval by the membership no later than the June general meeting. A Proposed Budget Form is available at https://www.schools.nyc.gov/school-life/get-involved/parent-associations. The proposed PA/PTA budget must be submitted to the principal upon approval by the PA/PTA membership. The proposed Presidents' Council budget must be submitted to the superintendent upon approval by the Presidents' Council membership.

B. PA/PTA and Presidents' Council Bank Accounts

1. PA/PTA and Presidents' Council Checking Accounts

A checking account must be maintained in the name of the PA/PTA or Presidents' Council. All PA/PTA and Presidents' Council funds must be deposited into the checking account. If a PA/PTA or Presidents' Council has difficulty opening a checking account, it should seek advice from the Presidents' Council, the District Office or FACE in that order.

a. Employer Identification Number (EIN) – PA/PTAs and Presidents' Councils, as separate entities, may not use the DOE's EIN. PA/PTAs and Presidents' Councils must obtain their own EIN from the Internal Revenue Service for bank account applications. Contact the Internal Revenue Service to obtain an EIN: 1-800-829-4933. A PA/PTA's EIN must be on file with the principal. A Presidents' Council's EIN must be on file with the superintendent.

b. Online banking – PA/PTAs and Presidents' Councils may establish online access through the bank's online bill payment system for goods and services rendered. When this is not possible, payment for goods and services should be carried out by more conventional means, such as but not limited to checks or a bank/debit card. Prior to any transaction the Executive Board must provide authorization for the intended expenditure by issuing a disbursement form that must accompany all online transactions.

In order to set up online access to the PA/PTA and Presidents' Council bank accounts, a DOE issued email account assigned to the PA/PTA or Presidents' Council is required.

c. Linking the PA/PTA and Presidents' Council bank account to a personal bank account is prohibited.

d. Signatories – PA/PTA or Presidents' Council checks must be signed by 2 officers. The PA/PTA and Presidents' Council bylaws must indicate at least 3 officers to be eligible signatories. The 2 signatories of a check may not

be related by blood or marriage. Under no circumstances may spouses, siblings, in-laws or other relatives or members of the same household sign the same PA/PTA or Presidents' Council check. A PA/PTA or Presidents' Council member may not sign a check if she/he has any direct or indirect interest in the expenditure.

e. Payees – No checks may be written payable to "petty cash" or "cash". Signatories may not approve such checks.

2. Withdrawals
   a. PA/PTAs and Presidents' Councils must not possess or use withdrawal slips.
   b. PA/PTAs and Presidents' Councils must not use the bank/debit card to withdraw funds from an Automated Teller Machine (ATM).
   c. Violation of this provision may result in immediate removal of an officer by the Chancellor or designee.
3. Bank / Debit Cards
   a. PA/PTAs may receive and have use of a bank/debit card for the sole purpose of paying a vendor for goods or services, for example, when a vendor does not accept physical checks or is online.
   b. Bank/debit card transactions must receive approval of the general membership.
   c. A disbursement form must accompany the transaction and be signed by two officers.
   d. Bank/debit cards must not be used for the following items:
      - Third party mobile applications. (i.e., mobile phone wallets, or any other electronic device)
      - Direct donations
      - Out-of-Pocket reimbursements
      - Cash withdrawals from an ATM
      - Receiving "cash-back" or a "cash refund" from an ensuing transaction
   e. Violation of this provision may result in immediate removal of an officer by the Chancellor or designee.
4. Other Bank Accounts

   Any accounts other than the mandatory checking account must be authorized by a vote of the membership and must be in the name of the PA/PTA or Presidents' Council. However, the primary checking account must be used for all transactions, including deposits and withdrawals (e.g., if a PA/PTA or Presidents' Council has a savings account, funds must be transferred from the checking account to the savings account. Funds can only be withdrawn by transferring the funds from the savings account to the checking account).

C. PA/PTA and Presidents' Council Fundraising

PA/PTA and Presidents' Council fundraisers are not ends in themselves. They must be tied to the goals of the organization, including parent education, workshops, and school, district, or borough initiatives. Proceeds from fundraisers must be used to supplement or complement the educational, social and cultural programs of schools, districts, or boroughs. On a case-by-case basis, the Chancellor may permit PA/PTAs and Presidents' Councils to raise funds for humanitarian causes.

1. PA/PTA and Presidents' Council Fundraising Activities Compliance

   All fundraising activities must comply with the Chancellor's Regulations on Flea Markets (A-650), Fundraising Activities and Collection of Money from Students

   (A-610), and Sale of Nutritious and Non-Nutritious Foods (A-812), as appropriate.

   a. Employee Identification Number (EIN) – PA/PTAs and Presidents' Councils may not conduct any fundraising activities until they have obtained an EIN. (See Section III.B.1.a.).

2. Prohibited Fundraising Activities for PA/PTAs and Presidents' Councils

   a. Sale of Movie and Theater Tickets – The sale of tickets to movies and theaters for children's attendance is prohibited, unless the project is coordinated with teachers and/or instructional coaches and is directly connected to the curriculum.

   b. Door-to-Door Solicitation - Door-to-door solicitation of funds by children is prohibited unless the children are accompanied by a parent. Raffle Tickets – The sale of raffle tickets to or by children is prohibited. Any sale of raffle tickets must be done in compliance with the provisions of the New York State General Municipal Law and applicable regulations of the New York State Racing and Wagering Board. See the "Parent Association Guide to Raffles" available at: https://www.schools.nyc.gov/school-life/get-involved/parent-associations and https://gaming.ny.gov/charitablegaming/ for additional information. The law and regulations prescribe the application and licensing requirements and the conditions regarding when a raffle may be conducted and how the proceeds of a raffle may be used. Only PA/PTAs and Presidents' Councils in existence for 3 years qualify to hold any raffle events. A PA/PTA or Presidents' Council in existence for at least 3 years immediately preceding the raffle may be exempt from the application and licensing requirements if a single raffle event has net proceeds of less than $5,000 and cumulative raffle events in a calendar year have net proceeds of less than $20,000. All PA/PTAs and Presidents' Councils must comply with the rules setting forth the conditions under which a raffle may be conducted and the proceeds used. These requirements do not apply to free raffle ticket drawings (e.g., door prizes).

c. Gambling – All forms of gambling, including bingo, are prohibited.

3. PA/PTA Fundraiser Planning

a. Fundraising Activities Involving Students During Instructional Hours - PA/PTA fundraising activities involving students during instructional hours are restricted to 2 per year. There are no restrictions on the number of fundraising activities during non-instructional hours. Non-instructional hours are defined as time during the school day when students are not engaged in the instructional process (e.g., lunch time).

Distribution of information (e.g., bulletins, newsletters, notices, order forms or envelopes) related to PA/PTA fundraising activities during instructional hours does not constitute a violation of this provision of the regulation.

b. Principal Approval - The principal's written consent is only required when the fundraising activity is held during school hours or on school property. (See Chancellor's Regulation A-610).

4. Presidents' Council Fundraiser Planning

a. Fundraising Activities Involving Students - Presidents' Council fundraising activities may not involve students.

b. Joint Planning with the Superintendent - Joint planning with the superintendent is required for fundraising activities conducted by Presidents' Councils.

5. PA/PTA and Presidents' Council Fundraising Approval

Plans for all fundraising activities conducted by PA/PTAs and Presidents' Councils must be approved by their membership during a regularly scheduled meeting where a quorum is achieved. Membership approval must be reflected in the minutes of the meeting. Failure to obtain membership approval before initiating a fundraising activity is a violation of this regulation.

6. PA/PTA and Presidents' Council Fundraising Outreach

a. Contacting Parents and Students – As stated in Section I.G.3., PA/PTAs and Presidents' Councils may not obtain a list of students' or parents' names, addresses or any other contact information from the school, district, or borough for any purpose, including fundraising.

b. Outreach Assistance – PA/PTAs and Presidents' Councils are responsible for fundraisers and any resulting funds. PA/PTAs may request assistance from the parent coordinator in publicizing fundraising activities. Parent coordinators may not handle PA/PTA funds.

7. PA/PTA and Presidents' Council Fundraiser Proceeds

a. Deposit of Funds – All fundraiser proceeds must be deposited into the PA/PTA or Presidents' Council's checking account. PA/PTAs and

Presidents' Councils must make every effort to deposit all cash received from a fundraising activity within one business day, but in any event, no longer than three business days. All raffle proceeds must be deposited consistent with these requirements but no later than Wednesday of each week. See 9 NYCRR § 5624.8 (2009)\. If the deposit will not be made immediately on the same day as the fundraising activity, the PA/PTA or Presidents' Council must ensure that all funds are secured in a locked location on school or DOE premises (e.g., the school safe). The PA/PTA must obtain a written acknowledgement from the principal when PA/PTA funds are secured in the school, while the Presidents' Council must obtain a written acknowledgement from the superintendent when Presidents' Council funds are secured on DOE premises. These acknowledgements must include the dollar amount being secured. Under no circumstances may fundraiser proceeds be stored in a PA/PTA or Presidents' Council member's place of work or residence.

b. Fundraising Activity Report – PA/PTA and Presidents' Council executive boards must prepare a Fundraising Activity Report, available at https://www.schools.nyc.gov/school-life/get-involved/parent-associations following the completion of each fundraising activity. The report must include the total amount of funds raised and related expenses and must be distributed to members at the next scheduled general membership meeting. PA/PTA and Presidents' Council executive boards must report which program goals the funds will be used to support. A copy of the PA/PTA Fundraising Activity Report must be provided to the principal no more than 5 calendar days after the fundraising activity. A copy of the Presidents' Council Fundraising Activity Report must be provided to the superintendent no more than 5 calendar days after the fundraising activity.

D. PA/PTA and Presidents' Council Financial Transactions

1. PA/PTA and Presidents' Council Membership Approval
   All expenditures of funds by PA/PTAs and Presidents' Councils must be approved by their membership during a regularly scheduled meeting where a quorum is achieved. Membership approval must be reflected in the minutes of the meeting. Failure to obtain membership approval before initiating an expenditure is a violation of this regulation. Members must abide by Section I.E.4 concerning conflicts of interest that may arise during the approval of a PA/PTA or Presidents' Council expenditure.
2. Emergency PA/PTA and Presidents' Council Executive Board Expenditures
   PA/PTA and Presidents' Council bylaws must contain a process for executive boards to authorize emergency expenditures. The bylaws must outline the circumstances that warrant an emergency expenditure, a maximum dollar amount that may be allocated, and a timeline for reporting emergency expenditures to the

membership. At the next general membership meeting following the emergency expenditure, members must have the opportunity to vote on whether the emergency expenditure was an appropriate use of the funds.

3. Out-of-Pocket Expenditures

   A PA/PTA or Presidents' Council member must be reimbursed for out-of- pocket expenses with a check, if she/he submits receipts. Such expenses must be approved by the membership. Whenever possible, membership approval should be obtained prior to making an out-of-pocket expenditure. The bylaws must define permissible out-of-pocket expenditures and the maximum dollar amount for which a member may be reimbursed. Reimbursement must be made by check payable to the member, not in cash, or by ATM/debit card through a third party mobile application. The bylaws must outline the circumstances that warrant an out of pocket expense, the maximum dollar amount that may be allocated, and a timeline for reporting out of pocket expenditures to the membership.

4. Hiring Staff

   a. Donating Funds for the School to Hire Staff – Subject to the restrictions outlined in Section III.D.5, PA/PTAs may donate funds for a school to hire supplemental staff (e.g., cluster teachers) to work during school hours. PA/PTAs may also donate funds for the school to hire staff to conduct after-school or weekend activities. PA/PTAs must obtain the approval of the school's principal. After obtaining the approval of the principal, PA/PTAs must submit a check endorsed to the school to the appropriate Senior Grants Officer (SGO). The funds are made available to the school's budget after the SGO approves the hiring of supplemental staff.

   b. Directly Hiring Staff – Subject to the restrictions outlined in Section III.D.5., PA/PTAs may only directly hire school staff to conduct after-school or weekend activities. Staff may be hired only to work directly with students. PA/PTAs must obtain the approval of the school's principal to hire staff to conduct after-school or weekend activities. After obtaining the approval of the principal, PA/PTAs must obtain the approval of their general membership.

   c. Liability for Directly Hiring Staff – PA/PTAs must abide by all state and federal requirements, such as the filing and reporting requirements established by the Internal Revenue Service. PA/PTAs are required to withhold all federal, state and local employment taxes and properly report such taxes to the appropriate governmental bodies. PA/PTAs that choose to directly hire staff are solely liable for the claims of any party, including personal injuries, property damage or any other tort resulting from any act or omission on an employee's part. PA/PTAs must provide a comprehensive liability insurance policy which lists the school, the DOE, and the City of New York as additional insureds. PA/PTAs must use the DOE facilities in accordance with all applicable laws and DOE policies. PA/PTAs must also obtain a building permit for weekend or after-school use of the school. (See Chancellor's Regulation

D-180). On September 2, 2009, the DOE and UFT entered into an agreement regarding coverage of individuals hired by PA/PTAs. Hiring of all parent association teacher aides through the use of PA/PTA funds must comply with the terms of this agreement.

Rather than directly hiring staff, it is recommended that PA/PTAs donate funds to the school for after-school and weekend activities by following the procedure outlined above, allowing the principal to administer the programs.

5. Restrictions on PA/PTA and Presidents' Council Expenditures
   a. Funds Raised for a Particular Purpose – PA/PTAs and Presidents' Councils are required to allocate funds raised for a particular purpose solely for the designated purpose (e.g., funds raised for senior dues may only be used to fund payment of activities for students in that grade for that school year). Should there be any funds remaining, the future use of these funds is subject to approval of the membership by majority vote.
   b. Political Contributions – PA/PTA and Presidents' Council contributions to candidates for CEC, CCSE, CCHS, CCELL, or D75 Council membership, political parties, political groups or sectarian groups are strictly forbidden.
   c. Hiring Staff to Work during School Hours – PA/PTAs and Presidents' Councils may not directly hire or donate funds for the school to hire core instructional teachers (e.g., teachers who teach core subjects such as Math, Science, English and History) to work during school hours. PA/PTAs and Presidents' Councils may not directly hire, but may donate funds for the school to hire supplemental staff (e.g., cluster teachers) to work during school hours.
   d. Hiring Administrative Staff – PA/PTAs and Presidents' Councils may not hire staff to complete administrative tasks of the association or manage PA/PTA or Presidents' Council programs.
6. Tax Exempt Expenditures
   a. New York State Tax Exemption Number – PA/PTAs and Presidents' Councils must obtain their own New York State Tax Exemption Number for the purpose of purchasing items on a tax-exempt basis. PA/PTAs and Presidents' Councils may not use any DOE or school tax exemption number. Tax-exempt status is to be used only for the associations' benefit and not for the benefit of individual members. Contact the New York State Department of Taxation and Finance for assistance: 518 485-2889.
   b. 501(c)(3) Status – PA/PTAs and Presidents' Councils wishing to incorporate as 501(c)(3) organizations must retain their own counsel and must continue to function in full compliance with all relevant laws, policies, rules, regulations, bylaws and other requirements. PA/PTAs and Presidents' Councils that have incorporated as 501(c)(3) organizations must seek advice from their own counsel concerning additional applicable

requirements related to financial matters, record retention and other legal issues. Contact the Internal Revenue Service for assistance: 1-800-829-4933.

E. PA/PTA and Presidents' Council Financial Record Keeping

To promote transparency in attaining their goals, PA/PTAs and Presidents' Councils must maintain comprehensive and organized financial records.

1. Financial Record Retention
   Financial records are all records reflecting income, expenditures, refunds and any other financial transactions. Financial records must be maintained on school premises for PA/PTAs, and on district or borough office premises for Presidents' Councils. PA/PTAs and Presidents' Councils must keep all financial records for a period of 6 years. Financial records must include interim and annual financial reports, bank statements, checkbook ledgers, deposit slips, minutes approving financial actions, ATM/Debit card use, and invoices. If applicable, cancelled or voided checks, vendor contracts, inventory lists of purchased or donated items, copies or records of tax exempt forms submitted for purchases, and any other record reflecting income, expenditures or any financial transactions must also be maintained.
2. Bylaws Record Keeping Protocols
   PA/PTA and Presidents' Council bylaws must establish a process for counting, securing and depositing funds received. The bylaws must also establish the procedure that the PA/PTA or Presidents' Council will use to document all financial transactions.
3. Cash Receipts and Disbursements
   Receipts must be provided to parents who pay or offer cash donations to PA/PTAs and Presidents' Councils. However PA/PTAs and Presidents' Councils may not offer cash reimbursements or refunds after funds have been collected and deposited.
4. Access to PA/PTA and Presidents' Council Records
   PA/PTA and Presidents' Council financial records must be available for inspection by members upon request and reasonable notice, and at a mutually agreeable time. All requests to review financial records must be made in writing and identify the records to be reviewed. PA/PTAs and Presidents' Councils must provide an opportunity for members to review requested documents within a reasonable period of time. Reviews of financial records must be conducted in the presence of the executive board and 2 general members not affiliated with the request. A review sheet identifying the reviewed documents must be signed by all members present. Upon request, PA/PTAs and Presidents' Councils must make every effort to provide members with copies of the documents reviewed.

F. PA/PTA and Presidents' Council Financial Reports

1. Treasurer's Report

   A written treasurer's report must be given at every executive board and general membership meeting. This report must include a statement of all transactions, including income, refunds, reimbursements and other expenditures, and opening and closing balances for the reporting period. Copies of the PA/PTA treasurer's reports must be given to the principal and posted at the school, while copies of the Presidents' Council treasurer's reports must be given to the superintendent and made available to the membership.

2. PA/PTA Interim and Annual Financial Reports

   An Interim PA/PTA Financial Report must be prepared by the PA/PTA and submitted to the principal by January 31 of each school year. An Annual PA/PTA Financial Report must be prepared by the PA/PTA and submitted to the principal by June 30 of each school year. Interim and Annual PA/PTA Financial Report templates are available at https://www.schools.nyc.gov/school-life/get-involved/parent-associations. The principal is responsible for submitting PA/PTA financial information and reports to FACE upon request. PA/PTAs are responsible for distributing copies of the Interim and Annual PA/PTA Financial Reports to all members.

3. Presidents' Council Annual Reports

   An Annual Presidents' Council Financial Report must be prepared by the Presidents' Council and submitted to FACE by June 30 of each school year. The Annual Presidents' Council Financial Report template is available at https://www.schools.nyc.gov/school-life/get-involved/parent-associations . The Presidents' Council is responsible for distributing copies of the Annual Presidents' Council Financial Reports to all members.

G. PA/PTA and Presidents' Council Audits

Audits are reviews of financial records conducted to reconcile revenue and expenditures and determine compliance with applicable laws, policies, rules and regulations. Audits are tools that can help PA/PTAs and Presidents' Councils to analyze their financial activities and assess the quality of their record keeping. Audits may be conducted internally by the PA/PTA and Presidents' Council. External audits may be conducted when a grievance is filed, when serious allegations are raised, or when requested by the Chancellor or the Chancellor's designee.

1. Internal Audit by PA/PTA or Presidents' Council Committee

   When a PA/PTA or Presidents' Council decides to conduct an internal audit, an audit committee must be formed. The audit committee must be selected by the general membership and be comprised of a majority of general members. Signatories of PA/PTA or Presidents' Council checks may not serve on or guide the work of an audit committee. The audit must include a review of PA/PTA or

Presidents' Council financial records, as defined in Section III.E.1.

It is recommended that an internal audit be conducted once every year, preferably before submitting the PA/PTA or Presidents' Council Annual Financial Report. However, failure to conduct an internal audit is not a reason to delay the filing of the Annual Financial Report. An internal audit should also be conducted whenever there is a change in the person holding the office of treasurer.

The audit committee's findings must be reported to the membership at the next general membership meeting and recorded in the meeting minutes. PA/PTA audit committees must provide a copy of their findings to the principal, while Presidents' Council audit committees must provide their findings to the superintendent.

a. PA/PTAs and Presidents' Councils with more than $50,000 in Net Annual Income – It is recommended that PA/PTAs and Presidents' Councils with more than $50,000 in net annual income hire a CPA or a person with professional expertise in accounting, business, or a related field to conduct their internal audit. The individual selected should be knowledgeable of the laws, policies, rules and regulations applicable to PA/PTAs and Presidents' Councils. This individual must not be a member of the PA/PTA or Presidents' Council, a relative of any PA/PTA or Presidents' Council member, or have any direct or indirect interest in the funds.

2. External Audit of PA/PTA or Presidents' Council Accounts

The Chancellor or the Chancellor's designee may conduct an audit when serious allegations of financial impropriety are raised, or a grievance or complaint is filed relating to the financial practices of the PA/PTA or Presidents' Council. The Chancellor and/or the Chancellor's designee shall have access to all PA/PTA and Presidents' Council financial records.

3. Findings of Financial Discrepancies or Wrongdoing

If a PA/PTA or Presidents' Council audit reveals financial discrepancies or wrongdoing, a written statement by the audit committee or auditor must be forwarded to FACE. Copies of the statement must be provided to the PA/PTA or Presidents' Council membership. PA/PTAs must also send copies to the principal and appropriate Presidents' Council. Presidents' Councils must also send copies to the appropriate superintendent. The Chancellor and/or the Chancellor's designee may order corrective or disciplinary action pursuant to Section IV.

IV. CORRECTIVE AND DISCIPLINARY ACTION

While self-determination is essential to the functioning of PA/PTAs and Presidents' Councils, there are circumstances that require corrective or disciplinary action for their protection. Corrective or disciplinary action is appropriate when a PA/PTA or Presidents' Council member's conduct violates laws, policies, rules, and regulations or threatens the

rights of students, parents and staff. This conduct may include:

A. Criminal Wrongdoing or Misconduct

Complaints or allegations of criminal wrongdoing must be reported to the police, the Special Commissioner of Investigation for the New York City School District (SCI) and FACE. Allegations of criminal wrongdoing and misconduct must be reported to SCI for that office's review, and for whatever action it deems appropriate, including possible referral to the DOE's Office of Special Investigations. Contact SCI at (212) 510-1500.

Allegations of misconduct which do not involve penal law must be reported to SCI and FACE. PA/PTA or Presidents' Council members under investigation by officers of the law may be removed from PA/PTA or Presidents' Council office and prohibited from subsequently serving on any PA/PTA or Presidents' Council executive board, school or district leadership team, school or district Title I Parent Advisory Council, CEC, CCSE, CCHS, CCELL, or D75 Council. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor or the Chancellor's designee.

B. Financial Discrepancies or Wrongdoing

Complaints or allegations of financial wrongdoing must be reported to the police, SCI and FACE. FACE may recommend specific action and suspend fundraising activities of PA/PTAs and Presidents' Councils where members are found responsible for financial discrepancies, financial wrongdoing, inappropriate financial practices, recklessness or failure to safeguard PA/PTA or Presidents' Council funds. PA/PTA or Presidents' Council members engaging in such conduct may be removed from PA/PTA or Presidents' Council office and prohibited from subsequently serving on any PA/PTA or Presidents' Council executive board, school or district leadership team, school or district Title I Parent Advisory Council, CEC, CCSE, CCHS, CCELL, or D75 Council. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor or the Chancellor's designee.

C. Threat or Risk to Others

Complaints or allegations of threatening behavior by a PA/PTA or Presidents' Council officer must be reported to the police, SCI and FACE. PA/PTA or Presidents' Council members whose conduct presents a threat or risk to members of the school, district or borough community may be removed from PA/PTA or Presidents' Council office. This includes frequent verbal abuse and unnecessary aggressive speech during meetings, which serves to intimidate and causes others to have concern for their personal safety. PA/PTA or Presidents' Council members who have been removed from office for their conduct may be prohibited from subsequently serving on any PA/PTA or Presidents' Council executive board, school or district leadership team, school or district Title I Parent Advisory Council, CEC, CCSE, CCHS, CCELL, or D75 Council by decision of the Chancellor or the Chancellor's designee on a case-by-

case basis.

D. Officer Negligence

PA/PTA or Presidents' Council officers found to be negligent in their duties and responsibilities as outlined in the bylaws or this regulation are subject to removal. The PA/PTA or Presidents' Council bylaws must include a mechanism for the removal of officers for negligence.

E. Conflict of Interest

PA/PTA or Presidents' Council officers who have a conflict of interest as defined in Section I.D.3.c. or Section II.B.2.b. are subject to removal from office if they fail to obtain a waiver from the DOE Ethics Officer. Decisions to remove officers will be determined on a case-by-case basis by the Chancellor or the Chancellor's designee.

V. DISPUTE RESOLUTION PROCESS

A. PA/PTA and Presidents' Council Disputes

PA/PTAs and Presidents' Councils may agree to alternative dispute resolution processes, provided that all agreements reached are in accordance with applicable laws, policies, rules and regulations. As autonomous and self-governing organizations, PA/PTAs and Presidents' Councils are responsible for resolving their own disputes.

1. Disputes between PA/PTA Members
   PA/PTAs must attempt to resolve disputes internally. PA/PTA disputes include differences of opinion or disagreements that have bearing on PA/PTA affairs or functioning. A PA/PTA member alleging a violation of this regulation or the bylaws must do so during a general membership or special membership meeting. (See Section I.J.1.c). The PA/PTA general membership must discuss the alleged violation and vote on an appropriate resolution. If the matter cannot be resolved internally, the PA/PTA must request assistance in writing from the appropriate Presidents' Council. (See Section V.B).
2. Disputes between Presidents' Council Members
   Presidents' Councils must attempt to resolve disputes internally. Presidents' Council disputes include differences of opinion or disagreements that have bearing on Presidents' Council affairs or functioning. A Presidents' Council member alleging a violation of this regulation or the bylaws must do so during a general membership or special membership meeting. The Presidents' Council general membership must discuss the alleged violation and vote on an appropriate resolution. If the matter cannot be resolved internally, the Presidents' Council must request assistance in writing from FACE or the appropriate superintendent. (See Section V.B).
3. Disputes between PA/PTA or Presidents' Council Members and DOE Employees
   To file a complaint against a DOE employee, PA/PTA or Presidents' Council

members must follow the process outlined in the NYC DOE Parent Complaint and Resolution Procedures. The NYC DOE Parent Complaint and Resolution Procedures are available at: https://www.schools.nyc.gov/school-life /support /get-help/how-to-file-an-appeal-or-complaint. Allegations of criminal wrongdoing or misconduct against a DOE employee must be reported to SCI at (212) 510-1500.

B. PA/PTA and Presidents' Council Requests for Assistance

When all avenues of internal dispute resolution have been exhausted, a member may submit a request for assistance to address a perceived violation of the bylaws or other applicable law, policies or regulations. PA/PTA requests for assistance must be submitted to the appropriate Presidents' Council. Presidents' Council requests for assistance must be submitted to FACE or the appropriate superintendent.

1. Timeliness
   A written request for assistance must be submitted no more than 30 calendar days after the event occurs or reasonably should have been discovered, and only after an attempt has been made to resolve the dispute at a general membership or special meeting.
2. Response
   Upon receipt of a request for assistance from a PA/PTA, the Presidents' Council must make arrangements to gather information about the dispute. The Presidents' Council will review the dispute and shall, within 30 calendar days, provide guidance to the PA/PTA that conforms to the PA/PTA's bylaws and this regulation.
   Upon receipt of a request for assistance from a Presidents' Council, FACE or the appropriate superintendent must make arrangements to gather information about the dispute. FACE or the appropriate superintendent will review the dispute and shall, within 30 calendar days, provide guidance to the Presidents' Council that conforms to the Presidents' Council bylaws and this regulation.
3. Final PA/PTA Dispute Resolution
   In extraordinary instances where a PA/PTA is unable to resolve a dispute, even after receiving assistance from the appropriate Presidents' Council, a member may submit a written summary of the dispute to FACE. FACE will review the dispute, gather necessary information, and issue a final and binding decision.
   a. Timeliness - The appeal to FACE must be submitted no later than 15 calendar days after the Presidents' Council provides a final recommendation.
   b. Decisions - FACE will issue a written decision no more than 30 calendar days after receipt of an appeal.

      The decision of FACE is final and binding. The decisions will be available to the public upon request. Students' names or other personally

identifiable student data must be deleted from issued decisions.

VI. WAIVER

This Regulation or any portion thereof may be waived by the Chancellor or his/her designee if it is determined to be in the best interests of the school system.

VII. INQUIRIES

Inquiries pertaining to this regulation should be addressed to:

Office of Family and Community Empowerment

N.Y.C. Department of Education

52 Chambers Street - Room 405

New York, NY 10007

Telephone: 212-374-4118

Email: FACE@schools.nyc.gov