S T A T E  O F  N E W  Y O R K

8705

2009-2010 Regular Sessions

I N  A S S E M B L Y

June 4, 2009

Introduced by M. of A. PERALTA, ESPAILLAT -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing a parent participation board and an office of education ombudsperson for each community school district in the city school district of the city of New York, and directing each borough president of the city of New York to establish a parent academy

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding three new sections 2590-cc, 2590-ee and 2590-t to read as follows:

S 2590-CC. PARENT PARTICIPATION BOARDS; COMPOSITION, POWERS AND DUTIES. 1. THERE SHALL BE ESTABLISHED AND MAINTAINED A PARENT PARTICIPATION BOARD WITHIN EACH COMMUNITY DISTRICT. EACH PARENT PARTICIPATION BOARD SHALL BE COMPOSED OF FIFTY-ONE VOTING MEMBERS, EACH OF WHOM SHALL SERVE A TERM OF TWO YEARS. SUCH MEMBERS SHALL BE APPOINTED AS FOLLOWS:

(A) SEVENTEEN MEMBERS SHALL BE APPOINTED BY THE BOROUGH PRESIDENT OF THE BOROUGH IN WHICH THE COMMUNITY DISTRICT IS LOCATED;

(B) SEVENTEEN MEMBERS SHALL BE APPOINTED BY A MAJORITY VOTE OF THE CITY COUNCIL OF THE CITY OF NEW YORK; AND

(C) SEVENTEEN MEMBERS SHALL BE APPOINTED BY A MAJORITY VOTE OF EACH HOUSE OF THE LEGISLATURE.

2. OF THE MEMBERS APPOINTED TO A PARENT PARTICIPATION BOARD:

(A) NOT LESS THAN ONE MEMBER SHALL BE THE PARENT OF AN ENGLISH LANGUAGE LEARNER ATTENDING A SCHOOL IN THE COMMUNITY DISTRICT;

(B) NOT LESS THAN ONE MEMBER SHALL BE THE PARENT OF A STUDENT RECEIVING SPECIAL EDUCATION SERVICES IN A SCHOOL IN THE COMMUNITY DISTRICT;

(C) NOT LESS THAN ONE MEMBER SHALL BE OR HAVE BEEN A GRADUATING SENIOR FROM A HIGH SCHOOL IN THE COMMUNITY DISTRICT DURING HIS OR HER TERM OF OFFICE;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(D) NOT LESS THAN ONE MEMBER SHALL BE THE PARENT OF A STUDENT ATTENDING A CHARTER SCHOOL IN THE COMMUNITY DISTRICT;

(E) NOT LESS THAN ONE MEMBER SHALL BE A TEACHER AT A SCHOOL IN THE COMMUNITY DISTRICT, WHO IS A MEMBER OF THE UNITED FEDERATION OF TEACHERS;

(F) NOT LESS THAN ONE MEMBER SHALL BE AN EMPLOYEE OF A SCHOOL IN THE COMMUNITY DISTRICT, WHO IS A MEMBER OF DISTRICT COUNCIL 37; AND

(G) NOT LESS THAN ONE MEMBER SHALL BE A MEMBER OF THE COUNCIL OF SCHOOL ADMINISTRATORS FOR THE COMMUNITY DISTRICT.

3. VACANCIES IN THE MEMBERSHIP OF A PARENT PARTICIPATION BOARD SHALL BE FILLED IN THE MANNER PROVIDED FOR ORIGINAL APPOINTMENTS. THE MEMBERS OF A PARENT PARTICIPATION BOARD MAY BE REAPPOINTED, PROVIDED THAT NO MEMBER SHALL SERVE AS A MEMBER FOR MORE THAN EIGHT YEARS.

4. EVERY MEMBER OF A PARENT PARTICIPATION BOARD SHALL BE A RESIDENT OF THE CITY OF NEW YORK, AND BE A RESIDENT OF, BE EMPLOYED IN OR HAVE A CHILD ATTENDING A SCHOOL IN THE COMMUNITY DISTRICT. NO SUCH MEMBER SHALL BE EMPLOYED BY A BOROUGH PRESIDENT, THE CITY COUNCIL OF THE CITY OF NEW YORK OR THE STATE LEGISLATURE. EVERY MEMBER SHALL BE SUBJECT TO AND SHALL COMPLY WITH ALL STATE AND CITY OF NEW YORK CONFLICT OF INTEREST LAWS.

5. A MAJORITY OF THE DULY APPOINTED MEMBERS OF A PARENT PARTICIPATION BOARD SHALL CONSTITUTE A QUORUM AND NOT LESS THAN A MAJORITY OF SUCH MEMBERS CONCURRING MAY TRANSACT ANY BUSINESS OR PERFORM ANY DUTY OR EXERCISE ANY POWER OF SUCH BOARD.

6. EACH PARENT PARTICIPATION BOARD SHALL ESTABLISH ITS OWN EXECUTIVE BOARD WHICH SHALL BE COMPOSED OF THE FOLLOWING OFFICES ELECTED FROM THE MEMBERSHIP OF SUCH BOARD:

(A) PRESIDENT;

(B) VICE-PRESIDENT;

(C) TREASURER;

(D) SECRETARY; AND

(E) ASSISTANT SECRETARY.

7. (A) EVERY PARENT PARTICIPATION BOARD SHALL ESTABLISH THE FOLLOWING COMMITTEES:

(1) BUDGET AND FINANCE;

(2) SCHOOL CITING AND FACILITIES USAGE;

(3) SCHOOL SAFETY AND STUDENT ATTENDANCE;

(4) CURRICULUM AND TESTING;

(5) AFTER-SCHOOL AND GIFTED PROGRAMS;

(6) UNIVERSAL PRE-KINDERGARTEN AND EARLY CHILDHOOD EDUCATION;

(7) SPECIAL EDUCATION; AND

(8) BILINGUAL EDUCATION.

(B) THE CHAIRPERSON OF EACH COMMITTEE SHALL BE APPOINTED BY THE PRESIDENT OF THE PARENT PARTICIPATION BOARD, WITH THE ADVICE AND CONSENT OF THE EXECUTIVE BOARD; PROVIDED, THAT THE FOLLOWING COMMITTEES SHALL HAVE THE FOLLOWING CO-CHAIRPERSONS:

(1) SPECIAL EDUCATION COMMITTEE: A MEMBER OF THE BOROUGH SPECIAL EDUCATION COUNCIL APPOINTED BY THE BOROUGH PRESIDENT; AND

(2) BILINGUAL COMMITTEE: A MEMBER OF THE BOROUGH ENGLISH LANGUAGE LEARNERS TASK FORCE APPOINTED BY THE BOROUGH PRESIDENT.

8. EVERY PARENT PARTICIPATION BOARD SHALL HAVE THE POWER AND DUTY TO:

(A) ESTABLISH ITS PROCEDURES AND BY-LAWS;

(B) PROVIDE ACCESS, ASSISTANCE AND ADVICE TO THE CHANCELLOR, CITY DISTRICT AND DEPARTMENT ON ALL EDUCATION AND BUDGET ISSUES IN THE COMMUNITY DISTRICT;

(C) ESTABLISH FORMAL PROCESSES FOR REVIEW AND INPUT ON MATTERS OF IMPORTANCE TO STUDENTS, PARENTS, TEACHERS AND THE COMMUNITY DISTRICT;

(D) ESTABLISH A FORMAL SCHOOL CITING PARENTAL REVIEW PROCEDURE FOR THE REVIEW OF SCHOOL CITING, SELECTION, RESTRUCTURING, EXPANSION AND RECONFIGURATION BY CONVENING PUBLIC HEARINGS, SOLICITING INPUT FROM PARENTS, TEACHERS AND THE COMMUNITY, AND ISSUING FORMAL RECOMMENDATIONS;

(E) CONDUCT AN ANNUAL REVIEW OF AND MAKE RECOMMENDATIONS ON THE FIVE-YEAR CAPITAL PLAN AND COMMUNITY DISTRICT OPERATING COSTS;

(F) PREPARE THE COMMUNITY DISTRICT REPORT CARD FOCUSING ON TEST SCORES, ATTENDANCE, PUPIL TO TEACHER RATIO, GRADUATION RATE AND DROP OUT RATE;

(G) ENGAGE AND CONSULT WITH COMMUNITY BASED ENTITIES INCLUDING COMMUNITY PLANNING BOARDS, PRECINCT COMMUNITY COUNCILS, PARENT ASSOCIATIONS, PARENT AND TEACHER ASSOCIATIONS, AND SCHOOL LEADERSHIP TEAMS. PROVIDED THAT THE PRESIDENT, OR HIS OR HER DESIGNEE, SHALL ATTEND AND REPORT UPON EACH MEETING OF THE COMMUNITY PLANNING BOARD AND THE PRECINCT COMMUNITY COUNCIL;

(H) REVIEW AND MAKE RECOMMENDATIONS ON ALL POLICY ISSUES BEFORE THE PANEL FOR EDUCATION POLICY; AND

(I) PROVIDE FOR THE TERMINATION AND REMOVAL OF ANY MEMBER WHO FAILS TO MEET THE QUALIFICATIONS OF MEMBERSHIP, OR FAILS TO FULFILL HIS OR HER DUTIES BY NOT ENGAGING IN REGULAR ATTENDANCE AT AND PARTICIPATION IN BOARD MEETINGS AND HEARINGS.

9. THE CHANCELLOR OR A MEMBER OF HIS OR HER OFFICE SHALL ANNUALLY ATTEND NOT LESS THAN ONE MEETING OF EACH PARENT PARTICIPATION BOARD IN THE CITY DISTRICT. THE COMMUNITY DISTRICT SUPERINTENDENT SHALL ATTEND EVERY MEETING OF THE PARENT PARTICIPATION BOARD.

S 2590-EE. OFFICE OF EDUCATION OMBUDSPERSON. 1. EACH PARENT PARTICIPATION BOARD SHALL ESTABLISH AN OFFICE OF EDUCATION OMBUDSPERSON FOR THE COMMUNITY DISTRICT.

2. THE OFFICE OF EDUCATION OMBUDSPERSON SHALL PROVIDE SUPPORT TO AND OPERATE THE OFFICES OF THE PARENT PARTICIPATION BOARD. SUCH OFFICES' DUTIES SHALL INCLUDE PARENTAL SERVICES, SUPERVISION OF STAFF, RECORD KEEPING, MAINTAINING PARENT PARTICIPATION BOARD MEETINGS, PUBLIC NOTIFICATION OF PARENT PARTICIPATION BOARD MEETINGS AND HEARINGS, AND FORMAL COMMUNICATIONS WITH CITY OF NEW YORK AND STATE AGENCIES AND OFFICIALS.

3. SUCH OFFICE SHALL ACCEPT APPLICATIONS FOR MEMBERSHIP ON THE PARENT PARTICIPATION BOARD, AND ENSURE THAT APPLICANTS AND MEMBERS MEET THE QUALIFICATIONS FOR MEMBERSHIP THEREON PURSUANT TO SECTION TWENTY-FIVE HUNDRED NINETY-CC OF THIS ARTICLE.

4. EVERY MEMBER OF A PARENT PARTICIPATION BOARD SHALL IMMEDIATELY NOTIFY THE APPROPRIATE OFFICE OF EDUCATION OMBUDSPERSON OF ANY CHANGE WHICH DISQUALIFIES SUCH MEMBER FROM MEMBERSHIP ON SUCH BOARD, AND SUCH OFFICE SHALL NOTIFY THE APPOINTING OFFICER OR ENTITY OF SUCH MEMBER OF HIS OR HER DISQUALIFICATION.

S 2590-T. PARENT ACADEMY. EVERY BOROUGH PRESIDENT IN THE CITY OF NEW YORK SHALL ESTABLISH AND MAINTAIN A PARENT ACADEMY FOR HIS OR HER BOROUGH. EACH PARENT ACADEMY SHALL PROVIDE TRAINING FOR ALL MEMBERS OF THE PARENT PARTICIPATION BOARDS WITHIN THE BOROUGH; AND PROVIDE TRAINING TO PARENTS OF CHILDREN ATTENDING SCHOOLS IN THE BOROUGH IN SKILLS BUILDING, LEADERSHIP DEVELOPMENT, EDUCATION POLICY, AND BUDGET AND FINANCE.

EACH ACADEMY SHALL ALSO PROVIDE PARENTS TO INTERACT TO LEARN HOW TO ASSIST THEIR CHILDREN TO SUCCEED IN SCHOOL AND AFTER GRADUATION. THE PARENT ACADEMIES SHALL BE TAILORED TO THE DIVERSE COMMUNITIES WITHIN THE BOROUGH IN WHICH IT IS LOCATED IN ORDER TO FACILITATE THE MAXIMUM INVOLVEMENT OF PARENTS IN THE BOROUGH.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, that effective immediately any actions necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.