

6641

I N S E N A T E

January 21, 2010

Introduced by Sen. MONSERRATE -- read twice and ordered printed, and
when printed to be committed 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:

1 Section 1. The education law is amended by adding three new sections
2 2590-cc, 2590-ee and 2590-v to read as follows:
3 S 2590-CC. PARENT PARTICIPATION BOARDS; COMPOSITION, POWERS AND
4 DUTIES. 1. THERE SHALL BE ESTABLISHED AND MAINTAINED A PARENT PARTICIPATION
5 BOARD WITHIN EACH COMMUNITY DISTRICT. EACH PARENT PARTICIPATION
6 BOARD SHALL BE COMPOSED OF FIFTY-ONE VOTING MEMBERS, EACH OF WHOM SHALL
7 SERVE A TERM OF TWO YEARS. SUCH MEMBERS SHALL BE APPOINTED AS FOLLOWS:
8 (A) SEVENTEEN MEMBERS SHALL BE APPOINTED BY THE BOROUGH PRESIDENT OF
9 THE BOROUGH IN WHICH THE COMMUNITY DISTRICT IS LOCATED;
10 (B) SEVENTEEN MEMBERS SHALL BE APPOINTED BY A MAJORITY VOTE OF THE
11 CITY COUNCIL OF THE CITY OF NEW YORK; AND
12 (C) SEVENTEEN MEMBERS SHALL BE APPOINTED BY A MAJORITY VOTE OF EACH
13 HOUSE OF THE LEGISLATURE.
14 2. OF THE MEMBERS APPOINTED TO A PARENT PARTICIPATION BOARD:
15 (A) NOT LESS THAN ONE MEMBER SHALL BE THE PARENT OF AN ENGLISH
16 LANGUAGE LEARNER ATTENDING A SCHOOL IN THE COMMUNITY DISTRICT;
17 (B) NOT LESS THAN ONE MEMBER SHALL BE THE PARENT OF A STUDENT RECEIVING
18 SPECIAL EDUCATION SERVICES IN A SCHOOL IN THE COMMUNITY DISTRICT;
19 (C) NOT LESS THAN ONE MEMBER SHALL BE OR HAVE BEEN A GRADUATING SENIOR
20 FROM A HIGH SCHOOL IN THE COMMUNITY DISTRICT DURING HIS OR HER TERM OF
21 OFFICE;
22 (D) NOT LESS THAN ONE MEMBER SHALL BE THE PARENT OF A STUDENT ATTENDING
23 A CHARTER SCHOOL IN THE COMMUNITY DISTRICT;
24 (E) NOT LESS THAN ONE MEMBER SHALL BE A TEACHER AT A SCHOOL IN THE
25 COMMUNITY DISTRICT, WHO IS A MEMBER OF THE UNITED FEDERATION OF TEACHERS;
26 (F) NOT LESS THAN ONE MEMBER SHALL BE AN EMPLOYEE OF A SCHOOL IN THE
27 COMMUNITY DISTRICT, WHO IS A MEMBER OF DISTRICT COUNCIL 37; AND
28

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

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(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;

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

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

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

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

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

20 S 2590-EE. OFFICE OF EDUCATION OMBUDSPERSON. 1. EACH PARENT PARTIC-
21 IPATION BOARD SHALL ESTABLISH AN OFFICE OF EDUCATION OMBUDSPERSON FOR
22 THE COMMUNITY DISTRICT.

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

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

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

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

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

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