*** § 2590-e. Powers and duties of community district education council.** Each community council shall have the following powers and duties to establish educational policies and objectives, not inconsistent with the provisions of this article and the policies established by the city board, with respect to all pre-kindergarten, nursery, kindergarten, elementary, intermediate and junior high schools and programs in connection therewith in the community district. The community councils shall have no executive or administrative powers or functions, but shall have the following powers and duties:

3. promote achievement of educational standards and objectives relating to the instruction of students.

4. cooperate as required by the chancellor in the removal from office pursuant to section twenty-five hundred ninety-l of this article of any community council member for willful, intentional or knowing involvement in the hiring, appointment or assignment of employees other than as specifically authorized in this article.

5. a. require community council members, the community superintendent, and any other officer or employee in schools and programs under the jurisdiction of the community councils, to make annual written disclosure, in accordance with regulations and bylaws of the city board developed in consultation with the community councils, to the community council and the city board, of the following information:

(1) the employment by the city school board or any community council of any person related within the third degree of consanguinity or affinity to the person making disclosure, including the employment of any such person for which a two-thirds vote was required under paragraph e of subdivision four of section twenty-five hundred ninety-j of this chapter with a notation of the date such vote was taken.

(2) the source of any income, reimbursement, gift or other form of compensation for services rendered together with a description of such services.

(3) the source of any financial contribution made within the year preceding the election or the term of office of a community district education council member to assist in the election or reelection of such

member of the community council, and the amount of such contribution, consistent with any applicable regulations of the city board and the board of elections.

b. willful or repeated failure to make full and timely disclosure shall constitute cause for removal from office of any member of a community council or for any other officer or employee disciplinary action and such other penalty as provided by law.

c. all written disclosures required hereunder shall be filed with the community council and the city board and shall be available for public inspection during regular business hours on regular business days.

6. require community council members, candidates for community district education councils, the community superintendent and, for good cause shown, any other officer or employee in schools and programs under the jurisdiction of the community councils to submit to the city board and the community councils, in accordance with regulations and bylaws of the city board developed in consultation with the community councils, financial reports for themselves and their spouses.

a. the frequency and period of coverage, the designation of persons to submit such reports by name, title or income level or by a combination thereof, and the content of such reports, including minimum dollar amounts, shall be determined by the city board.

b. willful or repeated failure to file required financial reports or make other required disclosures shall constitute cause for removal from office of any member of a community council or for any other officer or employee disciplinary action and such other penalty as provided by law. No person may assume office as a community council member without previously complying with this subdivision, subdivision five of this section, and with all applicable financial disclosure requirements promulgated by the board of elections.

7. participate in training and continuing education programs pursuant to the provisions of this subdivision.

(1) Community district education council members shall participate in training to acquaint them with the powers, functions and duties of community council members, as well as the powers of other governing and administering authorities that affect education including the powers of the commissioner, city board, chancellor and community superintendents. Such participation shall be completed no later than three months from the date in which a community council member takes office for the first time.

(2) Each community district education council member shall be required to participate in continuing education programs on an annual basis as defined by the chancellor. Participation in training pursuant to paragraph one of this subdivision by a community district education council member who takes office for the first time shall be deemed to satisfy the requirements of this subdivision for the first year of such member's term.

(3) such training and continuing education programs shall be approved by the chancellor, following consultation with the commissioner, and may be provided by the state education department, the city board, the chancellor or a nonprofit provider authorized by the chancellor to provide such training and continuing education programs.

(4) the chancellor is authorized to promulgate regulations regarding providers and their certification, the content and implementation of the training and continuing education programs. Any such regulations shall be developed after consultation with the commissioner.

(5) such training and continuing education programs shall be offered by the chancellor on an annual basis or more frequently, as needed, to enable community council members to comply with this subdivision.

(6) failure of community council members to comply with the training and continuing education requirements mandated by this subdivision shall constitute cause for removal from office pursuant to section twenty-five hundred ninety-1 of this article.

8. Each year prepare a school district report card pursuant to regulations of the commissioner, and shall make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the annual meeting, and

otherwise disseminating it as required by the commissioner. Such report card shall include measures of the academic performance of the school district, on a school by school basis, and measures of the fiscal performance of the district, as prescribed by the commissioner. Pursuant to regulations of the commissioner, the report card shall also compare these measures to statewide averages for all public schools, and statewide averages for public schools of comparable wealth and need, developed by the commissioner. Such report card shall include, at a minimum, any information on the school district regarding pupil performance and expenditure per pupil required to be included in the annual report by the requests to the governor and the legislature pursuant to section two hundred fifteen-a of this chapter; and any other information required by the commissioner. School districts (i) identified as having fifteen percent or more of their students in special education, or (ii) which have fifty percent or more of their students with disabilities in special education programs or services sixty percent or more of the school day in a general education building, or (iii) which have eight percent or more of their students with disabilities in special education programs in public or private separate educational settings shall indicate on their school district report card their respective percentages as defined in this paragraph and paragraphs (i) and (ii) of this subdivision as compared to the statewide average.

9. Subject to paragraph (o) of subdivision one of section twenty-five hundred ninety-f of this article, to employ or retain counsel subject to the powers and duties of the corporation counsel of the city of New York to be the district's attorney and counsel pursuant to subdivision a of section three hundred ninety-four of the New York city charter in actions or proceedings in which the council or any member thereof is a defendant or a respondent.

10. Where the district has provided transportation to students enrolled in such district to a school sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district, unless the parent or legal guardian of a student participating in such event has provided the school

district with written notice, consistent with district policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the district impractical, a representative of the school district shall remain with the student until such student's parent or legal guardian has been (a) contacted and informed of the intervening circumstances which make such transportation impractical and (b) such student had been delivered to his or her parent or legal guardian.

11. Approve zoning lines, as submitted by the superintendent, consistent with the regulations of the chancellor, applicable to schools under the jurisdiction of the community district.

12. Hold meetings at least every month with the superintendent to discuss the current state of the schools in the district and progress made toward the implementation of the district's comprehensive education plan required by the chancellor.

13. Review of the district's educational programs and assess their effect on student achievement.

14. Hold public meetings at least every month with the superintendent during which the public may speak so that parents and the community have a voice and a public forum to air their concerns.

15. Submit an annual evaluation of the superintendent to the chancellor.

16. Submit an annual evaluation consistent with procedures which shall be developed by the chancellor of all other instructional supervisory personnel who have responsibility for more than one school within the district.

17. Hold a public hearing on the district's annual capacity plans,

recommended by the superintendent and based on data from the chancellor on enrollment/utilization for each school within the district and submit such plan, upon approval by the community council, to the chancellor for his or her approval and implementation.

18. Provide input, as it deems necessary, to the chancellor and the city board on matters of concern to the district.

19. Liaison with school leadership teams as may be necessary, provide assistance to the school leadership teams where possible, and serve on the district leadership team by designating a representative.

20. Consult on the selection of a community superintendent pursuant to subdivision thirty of section twenty-five hundred ninety-h of this article. Such consultation shall include an opportunity for the community council to interview a minimum of three final candidates the chancellor is considering appointing and to provide feedback to the chancellor, which may include a ranked list of such candidates, prior to the appointment being made.

21. Hold a joint public hearing with the chancellor or deputy chancellor, or in the case of a proposed significant change in school utilization the chancellor or his or her designee, and the impacted school based management team regarding any proposed school closing or significant change in school utilization, including the phase-out, grade reconfiguration, re-siting, or co-location of schools, of any public school located within the community district pursuant to subdivision two-a of section twenty-five hundred ninety-h of this article. Following such hearing, the community council may pass a resolution on whether to recommend or not recommend to the city board the proposed school closing or significant change in school utilization, and shall transmit it to the city board for its consideration at least seven days in advance of any city board vote on such item pursuant to section twenty-five hundred ninety-g of this article, provided that the receipt of such resolution from the community council shall not be a precondition for the city board to act on the matter.

* NB Effective until June 30, 2028

* § 2590-e. Powers and duties of community boards. Each community board shall have the following powers and duties to establish educational policies and objectives, not inconsistent with the provisions of this article and the policies established by the city board, with respect to all pre-kindergarten, nursery, kindergarten, elementary, intermediate and junior high schools and programs in connection therewith in the community district. The community boards shall have no executive or administrative powers or functions, but shall have the following powers and duties:

1. employ a community superintendent, selected by the chancellor, by contract for a term not to exceed by more than one year the term of office of the community school board authorizing such contract, subject to removal for cause, at a salary to be fixed within the budgetary allocation therefor, subject to the provisions of subdivision two of section twenty-five hundred ninety-j of this article. Consistent with procedures of the chancellor establishing a publicly inclusive process for the recruitment, screening and selection of superintendent candidates, and regulations establishing educational, managerial, and administrative qualifications and performance record criteria for such position, the community board shall select no more than four final candidates for superintendent from candidates for appointment, who shall have been interviewed and screened by and with the assistance of parents, teachers, representatives of school support personnel, and administrators, and forward such names, to the chancellor for selection together with the reasons for the recommendation of such candidates. If the chancellor should reject all the candidates for written reasons within thirty days after the receipt of the proposed names, the community board shall make another selection of no more than four new names consistent with such procedures and regulations, until the chancellor selects a candidate. The contract of employment shall be consistent with a model contract promulgated by the chancellor which shall include provisions for reappointment.

3. promote achievement of educational standards and objectives relating to the instruction of students.

4. cooperate as required by the chancellor in the removal from office pursuant to section twenty-five hundred ninety-l of this article of any community board member for willful, intentional or knowing involvement in the hiring, appointment or assignment of employees other than as specifically authorized in this article.

5. a. require community board members, the community superintendent, and any other officer or employee in schools and programs under the jurisdiction of the community boards, to make annual written disclosure, in accordance with regulations and bylaws of the city board developed in consultation with the community boards, to the community board and the city board, of the following information:

(1) the employment by the city school board or any community board of any person related within the third degree of consanguinity or affinity to the person making disclosure, including the employment of any such person for which a two-thirds vote was required under paragraph e of subdivision four of section twenty-five hundred ninety-j of this chapter with a notation of the date such vote was taken.

(2) the source of any income, reimbursement, gift or other form of compensation for services rendered together with a description of such services.

(3) the source of any financial contribution made within the year preceding the election or the term of office of a community board member to assist in the election or reelection of such member of the community board, and the amount of such contribution, consistent with any applicable regulations of the city board and the board of elections.

b. willful or repeated failure to make full and timely disclosure shall constitute cause for removal from office of any member of a community board or for any other officer or employee disciplinary action and such other penalty as provided by law.

c. all written disclosures required hereunder shall be filed with the community board and the city board and shall be available for public inspection during regular business hours on regular business days.

6. require community board members, candidates for community boards,

the community superintendent and, for good cause shown, any other officer or employee in schools and programs under the jurisdiction of the community boards to submit to the city board and the community boards, in accordance with regulations and bylaws of the city board developed in consultation with the community boards, financial reports for themselves and their spouses, provided that in the case of community board members and candidates for community boards the statement of financial disclosure and the frequency with which it must be filed must satisfy at least the requirements and standards for disclosure of section seventy-three-a of the public officers law.

a. the frequency and period of coverage, the designation of persons to submit such reports by name, title or income level or by a combination thereof, and the content of such reports, including minimum dollar amounts, shall be determined by the city board.

b. willful or repeated failure to file required financial reports or make other required disclosures shall constitute cause for removal from office of any member of a community board or for any other officer or employee disciplinary action and such other penalty as provided by law. No person may assume office as a community board member without previously complying with this subdivision, subdivision five of this section, and with all applicable financial disclosure requirements promulgated by the board of elections.

7. participate in training and continuing education programs pursuant to the provisions of this subdivision.

(1) Community board members shall participate in training to acquaint them with the powers, functions and duties of community board members, as well as the powers of other governing and administering authorities that affect education including the powers of the commissioner, city board, chancellor and community superintendents. Such participation shall be completed no later than six months from the date in which a community board member takes office for the first time.

(2) Each community board member shall be required to participate in continuing education programs on an annual basis as defined by the chancellor. Participation in training pursuant to paragraph one of this

subdivision by a community board member who takes office for the first time shall be deemed to satisfy the requirements of this subdivision for the first year of such member's term.

(3) such training and continuing education programs shall be approved by the chancellor, following consultation with the commissioner, and may be provided by the state education department, the city board, the chancellor or a nonprofit provider authorized by the chancellor to provide such training and continuing education programs.

(4) the chancellor is authorized to promulgate regulations regarding providers and their certification, the content and implementation of the training and continuing education programs. Any such regulations shall be developed after consultation with the commissioner.

(5) such training and continuing education programs shall be offered on an annual basis or more frequently, as needed, to enable community board members to comply with this subdivision.

(6) failure of community board members to comply with the training and continuing education requirements mandated by this subdivision shall constitute cause for removal from office pursuant to section twenty-five hundred ninety-1 of this article.

8. Each year prepare a school district report card pursuant to regulations of the commissioner, and shall make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the annual meeting, and otherwise disseminating it as required by the commissioner. Such report card shall include measures of the academic performance of the school district, on a school by school basis, and measures of the fiscal performance of the district, as prescribed by the commissioner. Pursuant to regulations of the commissioner, the report card shall also compare these measures to statewide averages for all public schools, and statewide averages for public schools of comparable wealth and need, developed by the commissioner. Such report card shall include, at a minimum, any information on the school district regarding pupil performance and expenditure per pupil required to be included in the annual report by the requests to the governor and the legislature pursuant to section two hundred fifteen-a of this chapter; and any other

information required by the commissioner. School districts (i) identified as having fifteen percent or more of their students in special education, or (ii) which have fifty percent or more of their students with disabilities in special education programs or services sixty percent or more of the school day in a general education building, or (iii) which have eight percent or more of their students with disabilities in special education programs in public or private separate educational settings shall indicate on their school district report card their respective percentages as defined in this paragraph and paragraphs (i) and (ii) of this subdivision as compared to the statewide average.

9. Subject to paragraph (o) of subdivision one of section twenty-five hundred ninety-f of this article, to employ or retain counsel subject to the powers and duties of the corporation counsel of the city of New York to be the district's attorney and counsel pursuant to subdivision a of section three hundred ninety-four of the New York city charter in actions or proceedings in which the board or any member thereof is a defendant or a respondent.

10. Where the district has provided transportation to students enrolled in such district to a school sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district, unless the parent or legal guardian of a student participating in such event has provided the school district with written notice, consistent with district policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the district impractical, a representative of the school district shall remain with the student until such student's parent or legal guardian has been (a) contacted and informed of the intervening circumstances which make such transportation impractical and (b) such student had been delivered to his or her parent or legal guardian.

* NB Effective June 30, 2028