Department of Education

Regulation of the Chancellor

Number**: D-210**
Subject: **CITYWIDE AND COMMUNITY DISTRICT EDUCATION COUNCIL CONDUCT, ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURES**
Category: **CITYWIDE AND COMMUNITY DISTRICT EDUCATION COUNCILS**
Issued: **December 18, 2025**

SUMMARY OF CHANGES

This regulation supersedes Chancellor's Regulation D-210, dated December 22, 2021.

The regulation has been revised to clarify the scope of the conduct subject to the regulation and complaint procedures.

The substance of the regulation has been modified as follows:

I. Introduction

- Clarifies DOE's commitment to affirming diverse parent leadership and empowering parents as agents of social change.
- Includes summary of duties of Council Members.
- Deletes reference to other laws, bylaws or regulations, standards, directives and agreements that are not enforced by Chancellor's Regulation D-210.

II. Definitions

- Defines Citywide Council and Community District Education Council (CEC) in Sections II.A. and II.B. and revises the definition of CCEC to refer to Citywide Councils and CECs collectively in Section II.C.
- Revises the definition of "Conduct" to clarify and narrow the scope of behavior subject to Chancellor's Regulation D-210 in Section II.D.
- Includes definition of "Disclose" in Section II.F.
- Includes definition of "Education Record" in Section II.G.
- Updates the description of the Office of Family and Community Empowerment (FACE) in Section II.I.

- Clarifies the process by which members of the Equity Council are selected in Section II.J.
- Revises the definition of "Parent" in Section II.K.
- Revises the definition of "Personally Identifiable Information" to align with the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, and its implementing regulations, 34 C.F.R. Part 99, et seq. (FERPA), in Section II.L. (PII).
- Includes definition of "Speech" in Section II.O.

III. Duties of CCECs (new section, replaces Section I, Scope)

- Replaces section on "Scope" with description of certain CCEC duties pursuant to Education Law Sections 2590-b, 2590-c and 2590-e.

IV. Prohibited Conduct (formerly Section II)

- Expands the protected categories for discrimination or harassment in Section IV.A. to include height and weight, consistent with the New York City Human Rights Law, and clarifies that unlawful discrimination and harassment are based on applicable local, state or federal law.
- Revises the prohibition against harassing and threatening conduct in Section IV.B.
- Replaces the prohibition against certain harmful conduct towards DOE students in Section IV.C. with a prohibition against disruptive Conduct or Speech.
- Revises the prohibition against disclosure of "PII" in Section IV.D. consistent with the updated definition of that term pursuant to FERPA.
- Clarifies the prohibition against use of communication platforms accessed through Council Member's status for personal benefit or gain in Section IV.E.
- Clarifies the requirement that PII, including student contact information, acquired by the Council may only be used only for legitimate, official Council purposes, and not for personal communications, lobbying or campaigning as set out in Section IV.F.
- Clarifies the prohibition against use of Council Member's position to personally or financially benefit themselves, their family members, or any person or firm with whom they have a business or financial relationship in Section IV.G.
- Includes prohibition against retaliation in Section IV.H (formerly Section V).

V. Corrective and Disciplinary Action (formerly Section III)

- Clarifies that corrective or disciplinary action, discussed in Section V.A and B., is only applicable to violations of Section IV of the regulation.
- Clarifies that Council Members who have been removed from office due to violation of Section IV of the regulation may be prohibited from subsequently serving on any Council pursuant to Education Law Sections 2590-c and 2590-l in Section V.C.

VI. Complaint Process (formerly Section IV)

- Clarifies the process for submitting complaints in Sections VI.A.1, 2 and 3.
- Clarifies in Section VI.A.6 that complaints alleging violations involving corruption, criminal activity, or conflict of interest shall be referred to the appropriate office/entity pursuant to Chancellor's Regulations D-130 and C-110.
- Clarifies in Section VI.B.1 that the Equity Compliance Officer (ECO) shall provide notice of complaints to the FACE Equity Council.
- Revises the timeframes for the ECO's investigation of complaints and issuance of recommendations to the Chancellor or Chancellor's designee in Sections VI.C. and D.
- Clarifies that the Chancellor or designee will issue a written determination as to whether there has been a violation of this regulation within 10 business days of receiving the recommendation from the ECO as set forth in VI.D., unless circumstances warrant extension of the time period.
- Revises the process for conciliation, set forth in Section VI.E, to make it consistent with Education Law Section 2590-l.

VII. Appeal (new section)

- Includes information about how Council Members may appeal an order suspending or removing them.

IX. Waiver (new section)

- Includes a provision expressly memorializing that the regulation or any portion thereof may be waived by the Chancellor or designee if it is determined to be in the best interests of the NYC school district.

X. Inquiries (formerly Section VII)

- Revises contact information for inquiries.

ABSTRACT

This regulation sets forth the New York City Department of Education's Anti-Discrimination and Anti-Harassment policy governing the speech and conduct of the elected and appointed members of the Citywide and Community District Education Councils and establishes a procedure for the filing and resolution of complaints of violations of this regulation. It supersedes Chancellor's Regulation D-210, Citywide and Community Education Council Code of Conduct and Complaint Procedures: Anti-Discrimination and Anti-Harassment Policy, dated December 22, 2021.

I. INTRODUCTION

The New York City Department of Education (DOE) recognizes that parent leadership and engagement is the cornerstone of DOE schools. It is the policy of the DOE to develop and maintain a

positive and supportive environment for elected and appointed parent leaders that is free of discrimination, harassment, bias, racism, and intimidation. The DOE is committed to the treatment of all parents and students with respect and dignity and the provision of opportunities for fair and just participation and parent engagement. The DOE is committed to welcoming diverse racial, linguistic and cultural identities in parent leadership, and empowering parents as agents of social change.

Consistent with the Education Law, Council Members are responsible for, among other things, promoting achievement of educational standards and objectives relating to the instruction of students, as more fully set forth below in Section III, "Duties of CCECs."

As elected or appointed parent leaders, Council Members have the duty to observe a high standard of ethics, integrity and decorum. Council Members are expected to be exemplary role models on the councils and in the communities in which they serve, and to fulfill their responsibilities in a way that respects the rights of the parents and students they serve.

II. DEFINITIONS

The following definitions apply for purposes of this regulation.

A. Citywide Council refers to the four education councils set forth in Education Law Section 2590-b: the Citywide Council on High Schools (CCHS), Citywide Council on Special Education (CCSE), Citywide Council on English Language Learners (CCELL), and Citywide Council for District 75 (CCD75).

B. Community District Education Council (CEC) refers to the 32 councils governing each of the community school districts, as set forth in Education Law Section 2590-c.

C. CCEC refers to the Citywide Councils and the CECs, collectively.

D. Conduct refers to physical acts and behavior when it occurs during or at CCEC meetings or activities; events hosted by the CCEC; CCEC election and/or campaign events; and/or public appearances and events a Council Member attends in their official capacity.

   1. However, Conduct described in Section IV(B)(i), (iii) and (v) is prohibited in any setting where such Conduct is reasonably likely to impair the ability of the Council Member to effectively perform their duties.

E. Council Member refers to an elected or appointed member of a CCEC.

F. Disclose refers to permitting access to, or the release, transfer, or other communication of Personally Identifiable Information contained in Education Records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, and its implementing regulations, 34 C.F.R. Part 99, et seq. (FERPA).

G. Education Record shall have the same meaning as set forth in FERPA, a record directly related to a student and maintained by an educational agency or institution or by a party acting for the

agency or institution.

H. The Equity Compliance Officer (ECO) is a designated DOE employee responsible for the receipt, response, processing, and investigation of complaints alleging violations of this regulation.

I. FACE is the DOE's Office of Family and Community Empowerment, a team responsible for supporting parent governance structures in the New York City school district.

J. FACE Equity Council (Equity Council) is a team of parent leaders from the Councils and the Chancellor's Parent Advisory Council, selected according to a process determined by FACE, that provides recommendations to FACE on the hiring and retention of the ECO and may provide recommendations on the resolution of complaints submitted to the ECO.

K. A Parent is a parent, guardian, or person in parental relation to a child. This includes: birth or adoptive parent, step-parent, legally-appointed guardian, foster parent, and "person in parental relation" to a child attending school. "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.

L. Personally Identifiable Information has the meaning set forth in FERPA, and, consistent with FERPA, includes, but is not limited to, the following information from a student's Education Record: the name of a student or student's parent or other family members; the address of a student or student's family; personal identifiers such as the student's social security number, student number, or biometric record; indirect identifiers such as the student's age, date of birth, place of birth, mother's maiden name; other information that alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by someone who the Council Member reasonably believes knows the identity of the student to whom the Education Record relates (PII).

M. OSI is DOE's Office of Special Investigations.

N. SCI is the Special Commissioner of Investigation for the New York City School District, an independent agency that investigates alleged misconduct in the New York City school district.

O. Speech refers to a Council Member's use of oral and written language, when it occurs during or at: CCEC meetings, activities, or via CCEC communications, including electronic messages or posts on CCEC social media accounts; events hosted by the CCEC; CCEC election and/or campaign events; and/or public appearances and events a Council Member attends in their official capacity.

   1. However, Speech described in Section IV(B)(i), (iii) and (v) is prohibited in any setting where such Speech is reasonably likely to impair the ability of the Council Member to effectively perform their duties.

III. DUTIES OF CCECs

A. Pursuant to Education Law Sections 2590-c and 2590-e, CECs have no executive or administrative

powers or functions, but have the following powers and duties, among others:

1. Promoting achievement of educational standards and objectives relating to the instruction of students.
2. Participating in training and continuing education programs as described in Education Law Section 2590-e(7).
3. Approving zoning lines as submitted by the superintendent.
4. Holding 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.
5. Reviewing the district's educational programs and assessing their effect on student achievement.
6. Holding 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.
7. Submitting an annual evaluation of all other instructional supervisory personnel who have responsibility for more than one school within the district.
8. Holding a public hearing on the district's annual capacity plans.
9. Providing input, as it deems necessary, to the Chancellor and the city board on matters of concern to the district.
10. Liaising and assisting with school leadership teams, and serving on the district leadership team by designating a representative.
11. Consulting on the selection of a community superintendent.
12. Holding a joint public hearing regarding a proposed significant change in school utilization as set forth in Education Law Section 2590-e(21).

B. Pursuant to Education Law Section 2590-b, the Citywide Councils have the following powers and duties, among others:

1. Advising and commenting on the following educational or instructional policies:
    a. For CCHS, the provision of services for high school students;
    b. For CCSE, the provision of services for students with disabilities;
    c. For CCELL, the provision of services involving bilingual or English as a second language programs; and
    d. For CCD75, the provision of District 75 services;
2. Issuing annual reports on the effectiveness of the DOE in providing services and making recommendations, as appropriate, on how to improve the efficiency and delivery of such services with respect to the students they serve; and
3. Holding at least one meeting per month that is open to the public, during which the public may discuss issues impacting the students each Citywide Council serves.

C. Council Members are responsible for familiarizing themselves with this regulation and participating in all training and continuing education opportunities hosted by FACE pursuant to Education Law Section 2590-e(7). Such training shall include guidance on compliance with this regulation and must be completed no later than three months from the date on which a Council Member takes office for the first time.

1. Council Members are also required to complete continuing education programs on an annual basis pursuant to Education Law Section 2590-e(7), which shall include supplemental guidance on compliance with this regulation.
2. Failure of Council Members to comply with the foregoing training and continuing education requirements constitutes cause for removal from office pursuant to Education Law Section 2590-l.

IV. PROHIBITED CONDUCT

A. Council Members shall not engage in any Conduct or Speech that subjects any person or entity to unlawful discrimination or harassment on the basis of actual or perceived race, color, religion, creed, ethnicity, national origin, alienage, citizenship status, age, marital status, partnership status, disability, sexual orientation, gender, height, weight and military status prohibited by local, state or federal law.

B. Council Members shall not engage in the following Conduct or Speech: (i) intentional, repeated harassment of another person which places such person in reasonable fear of physical injury; (ii) Conduct or Speech that a reasonable person would expect to provoke a violent reaction (including but not limited to the use of slurs based on race, gender, sexual orientation, religion, national origin, and disability that a reasonable person would expect to provoke such a reaction); (iii) Conduct or Speech that they are aware would reasonably be regarded by others as threatening violence; (iv) Conduct or Speech that is obscene; or (v) Conduct or Speech that is otherwise prohibited by law.

C. Council Members shall not engage in disruptive Conduct or Speech that prevents, or is reasonably likely to prevent, the CCEC from conducting business (including, but not limited to Conduct or Speech such as shouting, profanity or physical outbursts, where such Conduct or Speech interferes with the CCEC conducting business).

D. Council Members shall not access or Disclose PII for any reason other than an authorized, official Council purpose, consistent with Chancellor's Regulation A-820 and FERPA.

E. Council Members shall not use any email list, listserv, website, social media account or other communication platform to which they have access through their position as a Council Member for their own personal benefit or private gain, or to endorse an individual candidate or slate of candidates.

F. Council Members shall not Disclose any PII, including any Parent or student contact information acquired by the Council, for personal communications, lobbying, campaigning or political activities. Such information may only be used for authorized, official Council purposes, consistent with Chancellor's Regulation A-820 and FERPA.

G. Council Members shall not use their position to personally or financially benefit themselves, their

near relatives, as defined in Chancellor's Regulation C-110, or any person or firm with whom they have a business or financial relationship.

H. Council Members shall not retaliate against any individual who objects to discriminatory practices, who complains of discrimination or harassment pursuant to this regulation, or who files or participates in the investigation of an alleged violation of this regulation.

V. CORRECTIVE AND DISCIPLINARY ACTION

A. Corrective or disciplinary action may be appropriate when a Council Member violates Section IV of this regulation.

B. Any corrective or disciplinary action shall be taken consistent with Education Law Section 2590-l and may include, but is not limited to, issuance of an order to cease improper Conduct or Speech or take required action, or suspension or removal of a Council Member.

C. Council Members who have been removed from office for violation of Section IV of this regulation may be prohibited from subsequently serving on any Council, as set forth in Education Law Sections 2590-c and 2590-l.

VI. COMPLAINT PROCESS

A. Filing a Complaint

1. Individuals may file complaints alleging violations of Section IV of this regulation with the ECO by notifying the ECO by email, phone, or mail using the contact information provided at the end of this regulation.
2. Complaints must state the name of the complainant(s) and include a telephone number or email address where they may be contacted. Anonymous complaints will not be accepted. Complaints should also include the following information, to the extent available: (i) identity of the Council Member(s) alleged to have violated this regulation; (ii) a description of the events relating to such alleged violation, including date(s) and location(s), as applicable; and (iii) the provisions of Section IV of this regulation that have been allegedly violated.
3. A complaint alleging a violation of Section IV of this regulation shall be submitted no more than 60 calendar days after the alleged incident.
4. During the complaint process, language assistance services shall be provided as necessary, consistent with Chancellor's Regulation A-663.
5. In addition, individuals may file complaints alleging violations of this regulation directly with SCI at https://nycsci.org/online-complaint-form/ or 212-510-1400.
6. A complaint filed with the ECO that alleges a violation involving corruption, criminal activity, or conflict of interest, including but not limited to, certain alleged violations of Section IV.F, G or H, shall be referred to SCI or the Conflicts of Interest Board pursuant to Chancellor's Regulations D-130 or C-110, as applicable, and, when criminal activity is alleged, to the New York City Police Department.

B. Initial Response

1. The ECO shall acknowledge receipt of a complaint in writing to the complainant within 5 business days of receipt. The ECO shall provide notice of complaints to the FACE Equity Council.
2. Complaints shall be kept on file with FACE. The complaint and investigation shall be kept confidential except as set forth in Section VI.C.3.
3. If the ECO, in consultation with the Equity Council, believes that the alleged violation is criminal in nature, poses an immediate danger to the safety or welfare of students or any DOE employee, or is contrary to the best interest of the New York City school district, the ECO may request that the Chancellor suspend or remove the Council Member who is the subject of the complaint pending completion of the investigation of the complaint.

C. Procedures for Investigating Complaints

1. The ECO shall review the complaint to determine whether it alleges a violation of this regulation.
2. If the ECO determines the complaint alleges a violation of this regulation, the ECO shall conduct an investigation by interviewing the parties and witnesses and reviewing relevant evidence. A subject of a complaint has the right to respond to the allegations.
3. It is the DOE's policy to respect the privacy of all parties and witnesses regarding complaints made pursuant to this regulation. However, the need for confidentiality must be balanced against the obligation to conduct and cooperate with required investigations, to provide due process to the subject, and/or to take necessary action to conciliate or resolve the complaint. Therefore, information regarding the complaint may need to be disclosed in certain circumstances as appropriate.
4. Following the investigation, the ECO shall submit a written report of findings and a recommendation as to whether there has been a violation of this regulation and recommended corrective or disciplinary action to the Equity Council. The Equity Council shall review the findings and recommendations and, within 10 calendar days, provide its recommendation to the ECO.
5. In the event of a disagreement between the ECO and the Equity Council, the recommendation of the ECO shall govern.

D. Decision

1. Within 90 calendar days of the ECO's receipt of the complaint, the ECO will provide their recommendation to the Chancellor or Chancellor's designee as to whether there has been a violation of this regulation, and any appropriate corrective or disciplinary action, unless circumstances warrant extension of the time period.
2. Within 10 business days of receiving the recommendation from the ECO, the Chancellor or designee will issue a written determination as to whether there has been a violation of this regulation, and any appropriate corrective or disciplinary action, unless circumstances

warrant extension of the time period. Complainant(s) and subject(s) will be informed in writing of the determination.

E. Opportunity for Conciliation

1. Prior to the enforcement of any corrective or disciplinary action, the Council Member subject to such action will be provided with an opportunity for conciliation with the Chancellor or Chancellor's designee.
2. The Chancellor may suspend or remove a Council Member without an opportunity for conciliation if the violation:
   a. is criminal in nature,
   b. poses an immediate danger to the safety or welfare of students or any DOE employee, or
   c. in the judgment of the Chancellor, is contrary to the best interest of the New York City school district.

VII. APPEAL

A Council Member suspended or removed pursuant to an order issued under this regulation and Education Law Section 2590-l may, within fifteen days after issuance of such order, file an appeal with the Panel for Educational Policy (the "Panel") in accordance with the rules set forth in Part 113 of the Regulations of the Commissioner of Education. Appeals must be filed with the secretary of the Panel by email to panel@schools.nyc.gov, and should clearly identify the message as an appeal directed to the attention of the secretary. For additional information concerning the procedures for appeals, including requirements relating to the content of appeals, service of documents, requests for temporary stays, and submission of replies, please refer to Part 113 of the Regulations of the Commissioner of Education.

VIII. ANNUAL REVIEW

This regulation shall be reviewed on an annual basis by the ECO and Equity Council and updated if and as necessary in accordance with law.

IX. WAIVER

This regulation or any portion thereof may be waived by the Chancellor or designee if it is determined to be in the best interests of the New York City school district.

X. 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

Equity Compliance Officer
N.Y.C. Department of Education
52 Chambers Street - Room 405
New York, NY 10007
Telephone: 212-374-5101
Email: D210intake@schools.nyc.gov