

STATE OF NEW YORK

5660

2023-2024 Regular Sessions

IN ASSEMBLY

March 20, 2023

Introduced by M. of A. CHANDLER-WATERMAN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the panel for educational policy in the city of New York

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 2590-a of the education law, as
2 added by chapter 330 of the laws of 1969, is amended to read as follows:

3 3. City board. The term "city board" shall mean the [~~board of educa-~~
4 ~~tion of the city district~~] panel for educational policy.

5 § 2. Subdivision 1 of section 2590-b of the education law, as amended
6 by chapter 364 of the laws of 2022, is amended to read as follows:

7 1. (a) The board of education of the city school district of the city
8 of New York is hereby continued as the panel for educational policy.

9 (1) (A) Such [~~board of education~~] panel for educational policy shall
10 consist of thirteen appointed members: one member to be appointed by
11 each borough president of the city of New York; and eight members to be
12 appointed by the mayor of the city of New York.

13 (B) Commencing on July first, two thousand twenty, the [~~board of~~
14 ~~education~~] panel for educational policy shall consist of fifteen
15 members: one member to be appointed by each borough president of the
16 city of New York, one member to be elected by community district educa-
17 tion council presidents, and nine members to be appointed by the mayor
18 of the city of New York. On or before December thirty-first, two thou-
19 sand nineteen, the chancellor shall promulgate regulations establishing
20 a process for community district education council presidents to elect a
21 member of the [~~board~~] panel for educational policy, and processes for
22 removal of such member and for the filling of such position in the event
23 of a vacancy. The first member elected by community district education
24 council presidents pursuant to such regulations shall take office on
25 July first, two thousand twenty and shall serve a term that ends on June

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

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1 thirtieth, two thousand twenty-two. Thereafter, the member elected by
2 community district education council presidents shall serve for a two
3 year term commencing on July first.

4 (C) Commencing on August fifteenth, two thousand twenty-two, the
5 ~~[board of education]~~ panel for educational policy shall consist of twenty-
6 three members: one member to be appointed by each borough president
7 of the city of New York; five members, one from each borough of the city
8 of New York, to be elected by community district education council presidents;
9 and thirteen members to be appointed by the mayor of the city of
10 New York. The term of the first member elected by community district
11 education council presidents pursuant to clause (B) of this subparagraph
12 shall be extended and end on August fourteenth, two thousand twenty-two.
13 On or before July fifteenth, two thousand twenty-two, the chancellor
14 shall promulgate regulations establishing a process for community
15 district education council presidents to elect members of the ~~[board]~~
16 panel for educational policy, and processes for removal of such members
17 and for the filling of such positions in the event of a vacancy. All
18 appointed members and members elected by the community education council
19 presidents pursuant to such regulations shall take office on August
20 fifteenth, two thousand twenty-two and shall serve a term that ends on
21 June thirtieth, two thousand twenty-three. Thereafter, appointed members
22 and the members elected by community district education council presidents
23 shall serve for a one year term commencing on July first.

24 (2) The chancellor and comptroller of the city of New York shall serve
25 as ex-officio non-voting members of the ~~[city board]~~ panel for educational policy.
26

27 (3) The ~~[city board]~~ panel for educational policy shall elect its own
28 chairperson from among its voting members.

29 (4) All appointed members shall serve for a one year term, provided
30 that any member may be removed for good cause, provided that voting
31 against the appointing authority's direction shall not be cause for
32 removal, by the appointing authority, who shall provide written notice
33 to the member and public explaining the reasons therefor at least ~~[ten]~~
34 thirty days in advance of the removal and provide the member a full and
35 fair opportunity to refute such reasons before removal. Notwithstanding
36 such notice, such member shall retain all rights, duties and obligations
37 of membership on such panel until the effective date of the removal.

38 (5) Except for the chancellor, no ~~[board members]~~ panel for educational policy member
39 shall be employed in any capacity by the city of
40 New York, or a subdivision thereof, or the ~~[city board]~~ panel for educational policy.
41

42 (6) No appointed or elected member of the ~~[city board]~~ panel for educational policy
43 shall also be a member, officer, or employee of any
44 public corporation, authority, or commission where the mayor of the city
45 of New York has a majority of the appointments.

46 (7) Each borough president's appointee shall be a resident of the
47 borough for which the borough president appointing him or her was
48 elected and shall be the parent of a child attending a public school
49 within the city school district of the city of New York.

50 (8) Each mayoral appointee shall be a resident of the city and four
51 shall be parents of a child attending a public school within the city
52 district, provided that at least one appointee shall be the parent of a
53 child with an individualized education program, at least one appointee
54 shall be the parent of a child who is in a bilingual or English as a
55 second language program conducted pursuant to section thirty-two hundred

four of this chapter, and at least one appointee shall be the parent of a child who is attending a district seventy-five school or program.

(9) All parent members shall be eligible to continue to serve on the ~~[city board]~~ panel for educational policy for two years following the conclusion of their child's attendance at a public school within the city district.

(10) Any vacancy other than by an expiration of term shall be filled by appointment by the appropriate appointing authority within ninety days of such vacancy and shall serve for the remainder of the unexpired term.

(11) Notwithstanding any provision of local law, the members of the ~~[board]~~ panel for educational policy shall not have staff, offices, or vehicles assigned to them or receive compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their duties.

(12) Every appointed and elected member of the ~~[city board]~~ panel for educational policy shall, within the first three months of his or her term, complete a minimum of six hours of training on the financial oversight, accountability and fiduciary responsibilities of a ~~[city board]~~ panel member, as well as a training course on the powers, functions and duties of the ~~[city board]~~ panel for educational policy.

(b) The ~~[city board]~~ panel for educational policy shall hold at least one regular public meeting per month. At least one regular public meeting shall be held in each borough of the city of New York per year; any additional meetings may be called at the request of the chairperson. The ~~[city board]~~ panel for educational policy shall consider appropriate public accommodations when selecting a venue so as to maximize participation by parents and the community.

(c) (i) Notice of the time, place and agenda for all ~~[city board]~~ panel for educational policy regular public meetings shall be publicly provided, including via the ~~[city board's]~~ panel's official internet web site, and specifically circulated to all community superintendents, community district education councils, community boards, and school based management teams, at least ten business days in advance of such meeting.

(ii) A ~~[city board]~~ panel for educational policy regular public meeting agenda shall be comprised of a list and brief description of the subject matter being considered, identification of all items subject to a ~~[city board]~~ panel vote, and the name, office, address, email address and telephone number of a city district representative, knowledgeable on the agenda, from whom any information may be obtained and to whom written comments may be submitted concerning items on such agenda.

(iii) A ~~[city board]~~ panel for educational policy meeting that includes an item subject to a ~~[city board]~~ panel for educational policy vote related to approval of a school closure or significant change in school utilization including the phase-out, grade reconfiguration, re-siting, or co-location of a school pursuant to paragraph ~~[h]~~ (h) of subdivision one of section twenty-five hundred ninety-g of this article shall be held in the borough of the city of New York where the school that is subject to such proposed school closing or significant change in school utilization is located.

(d) The chairperson of the ~~[city board]~~ panel for educational policy shall ensure that at every regular public meeting there is a sufficient period of time to allow for public comment on any topic on the agenda prior to any ~~[city board]~~ panel for educational policy vote.

1 (e) Minutes of all [~~city board~~] panel for educational policy regular
2 public meetings shall be made publicly available, including via the
3 [~~city board's~~] panel's official internet website, in a timely manner but
4 no later than the subsequent regular [~~city board~~] panel for educational
5 policy meeting.

6 § 3. This act shall take effect immediately; provided however that the
7 amendments to subdivision 1 of section 2590-b of the education law made
8 by section two of this act shall not affect the expiration of such
9 subdivision and such section and shall be deemed to expire therewith.