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

5576

2009-2010 Regular Sessions

I N S E N A T E

May 19, 2009

Introduced by Sens. PARKER, SAVINO, DIAZ, HASSELL-THOMPSON, HUNTLEY, MONTGOMERY, PERKINS, SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law and the New York city charter, in relation to enacting the "better schools act"; expanding the duties of the city board and other officials of the city of New York, and the independent budget office; establishing procedures and policies for certain education related matters, and creating the center for parent and student service and empowerment

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

Section 1. This act shall be known and may be cited as the "better schools act".

S 2. Legislative intent. The intent of the legislature in enacting the "better schools act" is to strengthen the decision making process by which education policies and reforms are developed and executed, and to restore the trust that families and communities have put in the school system, by promoting and emphasizing the importance of open communication and public forum, and shared decision making between administrators, public officials, parents, students and community organizations.

S 3. Subdivision 1 of section 2590-b of the education law, as added by chapter 91 of the laws of 2002, is amended to read as follows:

1. (a) The board of education of the city school district of the city of New York is hereby continued. Such board of education shall consist of [thirteen] SEVENTEEN members: one member to be appointed by each borough president of the city of New York; [seven] EIGHT members to be appointed by the mayor of the city of New York; [and the chancellor] ONE MEMBER TO BE APPOINTED BY THE GOVERNOR; ONE MEMBER TO BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE; ONE MEMBER TO BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY; AND ONE MEMBER TO BE APPOINTED BY THE CITY-WIDE COUNCIL. The [chancellor shall serve as the chairperson of the city

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

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board] BOARD OF EDUCATION SHALL SELECT A BOARD MEMBER TO SERVE AS CHAIR. All [twelve] SEVENTEEN appointed members shall serve [at the pleasure of the appointing authority] UNTIL THE COMPLETION OF THEIR TERM, SHALL BE REMOVABLE ONLY FOR CAUSE and shall not be employed in any capacity by the city of New York, or a subdivision thereof, or the city board. APPOINTING BODIES SHOULD CONSIDER RACIAL, GEOGRAPHIC AND SOCIO-ECONOMIC DIVERSITY IN THEIR APPOINTMENTS. Each borough president's appointee shall be a resident of the borough for which the borough president appointing him or her was elected and shall be the parent of a child OR SHALL BE A STUDENT attending a public school within the city school district of the city of New York OR AN ACTIVE MEMBER OF A COMMUNITY-BASED ORGANIZATION WITHIN THE CITY OF NEW YORK. [Each mayoral appointee] THE REMAINING TWELVE APPOINTEES shall be [a resident] RESIDENTS of the city OF NEW YORK. THE TERM OF OFFICE OF EACH MEMBER SHALL BE TWO YEARS. Any vacancy shall be filled by appointment by the appropriate appointing authority. Notwithstanding any provision of local law, the members of the board 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.

(b) The city board shall hold at least twelve meetings per year, AT LEAST ONE MEETING PER MONTH; any additional meetings may be called at the request of the [chancellor] CHAIR OF THE CITY BOARD. THE CHAIR OF THE CITY BOARD SHALL PREPARE THE AGENDAS FOR ALL BOARD MEETINGS. SUCH MEETINGS SHALL BE OPEN TO THE PUBLIC; THE BOARD SHALL SOLICIT PUBLIC COMMENT ON ALL ISSUES TO BE VOTED ON. NOTICE OF AN UPCOMING MEETING AND A COPY OF SUCH MEETING'S AGENDA, ALONG WITH THE LANGUAGE OF ANY PROPOSALS TO BE VOTED UPON, SHALL BE PUBLICLY DISSEMINATED, IN THE EIGHT MOST COMMON LANGUAGES SPOKEN BY PARENTS, AT LEAST TWO WEEKS IN ADVANCE OF SUCH MEETING. SUCH MEETINGS SHALL BE HELD IN VENUES THAT CAN ACCOMMODATE LARGE PUBLIC ATTENDANCE; LANGUAGE INTERPRETATION SERVICES SHALL BE PROVIDED AT ALL MEETINGS.

S 4. Section 2590-f of the education law, as added by chapter 720 of the laws of 1996, paragraphs (s) and (t) of subdivision 1, subdivisions 2 and 3 as amended and paragraph (u) of subdivision 1 as added by chapter 123 of the laws of 2003, is amended to read as follows:

S 2590-f. Community superintendents. 1. Subject in every case to powers devolved to principals and schools consistent with this article, the superintendent shall have the following powers and duties:

(a) to assist district schools in obtaining waivers from state, federal and city board regulations where appropriate to promote student achievement and school performance.

(b) to delegate any of her or his powers and duties to such subordinate officers or employees of her or his community district as she or he deems appropriate and to modify or rescind any power and duty so delegated.

(c) except for the appointment of supervisors pursuant to paragraph (d) of this subdivision, to appoint, define the duties of, assign, promote and discharge all employees, including teacher-aides, of the community district, and fix their compensation and terms of employment within amounts appropriated therefor and not inconsistent with the provisions of this article and any collective bargaining agreement.

(d) to appoint supervisory personnel from candidates screened by a committee including parents, teachers, and school support personnel, who shall be selected and shall operate in a manner prescribed by chancellor's regulations.

(e) to appoint or reject the principal candidates screened by screening committees, in accordance with procedures and criteria prescribed by chancellor's regulations, and subject to the chancellor's power to reject such appointments pursuant to section twenty-five hundred ninety-h of this article.

(f) to SUPERVISE AND evaluate, at least annually, the performance of principals for every school in the district with respect to educational effectiveness and school performance, including effectiveness of promoting student achievement and parental involvement, and maintaining school discipline. THE SUPERINTENDENT SHALL HAVE ACCESS TO ALL SCHOOL RECORDS NECESSARY TO CARRY OUT SUCH EVALUATIONS.

(g) the authority to transfer or remove principals for persistent educational failure, conflicts of interest, and ethics violations, and to require principals to participate in training and other remedial programs to address identified factors affecting student achievement and school performance, consistent with sections twenty-five hundred ninety-h, twenty-five hundred ninety-i and twenty-five hundred ninety-l of this article.

(h) to review, modify and approve school-based budgets proposed by the school, pursuant to section twenty-five hundred ninety-r of this article.

(i) to retain one or more district fiscal officers to monitor and report on schools' expenditures pursuant to the school-based budgets.

(j) within the amounts appropriated therefor to administer district minor repair and purchasing funds, and make them available to schools consistent with sections twenty-five hundred ninety-i, twenty-five hundred ninety-r, and subdivisions thirty-six and thirty-seven of section twenty-five hundred ninety-h of this article, for services and supplies provided by the chancellor, the superintendent, or purchased by the schools, and to provide for minor repairs to all school buildings and other buildings and sites under the district's jurisdiction.

(k) subject to subdivision three of section twenty-five hundred ninety-e of this article and this section, to approve or disapprove matters relating to the instruction of students, including the power to disapprove school choices with respect to selection of textbooks and other instructional materials.

(l) to operate administrative offices and similar facilities, including social centers, and recreational and extracurricular programs, under the district's jurisdiction, and the duty to support the operation of school facilities.

(m) subject to regulations or resolutions of the city board, to operate cafeteria or restaurant services for pupils and teachers and for the use by the community for school related functions and activities and to furnish meals to the elderly, sixty years of age or older, of the district. Charges shall be sufficient to meet the direct cost of preparing and serving such meals, reducible by available reimbursements.

(n) to maintain discipline in the educational and other facilities under the jurisdiction of the district, including the duty to assist the schools in maintaining discipline.

(o) 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; provided, however, that in actions or proceedings between community districts or between a community district and the city board, each community district may be represented by its own counsel.

(p) in compliance with rules and regulations of the commissioner, promulgated pursuant to section one hundred one-a of this chapter, to give written notice to the family court pursuant to subdivision three of section seven hundred fifty-eight-a and subdivision three of section 353.6 of the family court act of the desire of any school under the jurisdiction of the community district to act in the supervision of certain juveniles while performing services for the public good.

(q) to take all necessary steps to ensure the integrity of community district operations, consistent with regulations promulgated by the chancellor and the city board.

(r) where so authorized by the chancellor, to exercise the chancellor's powers under subdivision thirty-one of section twenty-five hundred ninety-h of this article.

(s) to provide written notice and other related information described in paragraph (b) of subdivision four of section twenty-five hundred ninety-c of this article to every parent of a child, including a child with a disability, attending a school under the jurisdiction of his or her community district education council as directed by the chancellor.

(t) notwithstanding any provisions of law to the contrary, to exercise all of the duties and responsibilities of the employing board as set forth in section three thousand twenty-a of this chapter pursuant to a delegation of the chancellor under section twenty-five hundred ninety-h of this article.

(u) to provide relevant data to the community district education council to encourage informed and adequate public discussion on student achievement and the state of each school within the district.

(V) TO ADDRESS ISSUES REGARDING SCHOOL CHOICE, DISCIPLINE SUCH AS SUSPENSIONS OR EXPULSIONS, LANGUAGE ASSISTANCE ACCESS FOR PARENTS AND STUDENTS, EDUCATION OF STUDENTS WITH DISABILITIES AND SHARED DECISION MAKING.

(W) TO HOLD PUBLIC MEETINGS AT LEAST TWICE DURING THE SCHOOL YEAR FOR THE PURPOSE OF REPORTING ON DISTRICT PERFORMANCE AND TO DISCUSS PLANS FOR IMPROVEMENT OF DISTRICT SCHOOLS.

2. In exercising such powers and duties each community superintendent shall comply with all applicable provisions of law, by-laws, rules or regulations, directives or agreements of the chancellor and his or her community district education council and with the city-wide educational policies established by the city board and his or her community district education council, including performance standards addressed to administration and educational effectiveness, and any requirements for continuing training and education, embodied in standards, circulars or regulations promulgated by the chancellor.

3. No person who has served as a member of a community district education council may be employed by that board or the superintendent of that district within a period of three years after the termination of such service unless such person qualifies for the position pursuant to a competitive examination and applicable provisions of the civil service law.

S 5. Subdivision 1 of section 2590-g of the education law, as amended by chapter 91 of the laws of 2002, is amended to read as follows:

1. (a) approve standards, policies, objectives, and regulations proposed by the chancellor directly related to educational achievement and student performance; [and] (b) APPROVE THE ANNUAL DEPARTMENT OF EDUCATION OPERATING BUDGET PROPOSED BY THE CHANCELLOR; (C) APPROVE THE FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN PROPOSED BY THE CHANCELLOR; AND (D) consider and approve any other standards, policies, objec-

tives, and regulations as specifically authorized or required by state or federal law or regulation;

S 6. Section 2590-g of the education law is amended by adding a new subdivision 7 to read as follows:

7. APPROVE LARGE PROCUREMENT CONTRACTS THAT WOULD SIGNIFICANTLY IMPACT THE PROVISION OF EDUCATIONAL SERVICES OR PROGRAMMING WITHIN THE SCHOOL DISTRICT. FOR PURPOSES OF THIS SECTION "LARGE PROCUREMENT CONTRACTS" SHALL MEAN PROCUREMENT CONTRACTS IN EXCESS OF TWO HUNDRED THOUSAND DOLLARS.

S 7. The opening paragraph and subdivisions 16 and 30 of section 2590-h of the education law, as amended and subdivision 30 as added by chapter 91 of the laws of 2002, are amended and a new subdivision 48 is added to read as follows:

The office of chancellor of the city district is hereby continued. Such chancellor shall serve at the pleasure of and be employed by the mayor of the city of New York by contract. The length of such contract shall not exceed by more than two years the term of office of the mayor authorizing such contract. The chancellor shall receive a salary to be fixed by the mayor within the budgetary allocation therefor. He or she shall exercise all his or her powers and duties in a manner not inconsistent with the city-wide educational policies of the city board. The chancellor shall NOT BE A VOTING MEMBER OF THE CITY BOARD, BUT MAY SERVE AS AN EX-OFFICIO MEMBER OF SUCH BOARD. THE CHANCELLOR SHALL have the following powers and duties as the superintendent of schools and chief executive officer for the city district, which the chancellor shall exercise to promote an equal educational opportunity for all students in the schools of the city district, promote fiscal and educational equity, increase student achievement and school performance and encourage local school-based innovation, including the power and duty to:

16. Promulgate such rules and regulations as he or she may determine to be necessary or convenient to accomplish the purposes of this [act] SECTION, not inconsistent with the provisions of this article and the city-wide educational policies of the city board, AND SUBJECT TO EXISTING LAW REQUIRING PUBLIC NOTICE, PUBLICATION, HEARINGS AND OPPORTUNITY FOR PUBLIC COMMENT AND CONSIDERATION THEREOF PRIOR TO SUCH PROMULGATION.

30. Select and appoint a community superintendent, in compliance with the qualifications required by subdivision twenty-nine of this section and subject to the provisions of subdivision two of section twenty-five hundred ninety-j of this article, AND IN CONSULTATION WITH THE COMMUNITY DISTRICT EDUCATION COUNCIL AND THE PRESIDENTS' COUNCIL AND DISTRICT LEADERSHIP TEAM, at a salary to be fixed within the budgetary allocation therefor.

48. THE CHANCELLOR SHALL PROVIDE TO THE NEW YORK CITY INDEPENDENT BUDGET OFFICE INFORMATION, DATA, ESTIMATES AND STATISTICS REGARDING ALL MATTERS RELATING TO SCHOOLS UNDER THE DISTRICT'S JURISDICTION, INCLUDING BUT NOT LIMITED TO, FINANCIAL STATEMENTS, SCHOOL PERFORMANCE, STUDENT ACHIEVEMENT, STUDENT SAFETY, AND SUCH REPORTS, DATA STATISTICS OR EVALUATIONS PROPOSED, REVIEWED, APPROVED OR SUBMITTED TO OR BY THE CHANCELLOR IN ACCORDANCE WITH THIS SECTION, AS THE DIRECTOR OF THE INDEPENDENT BUDGET OFFICE DETERMINES TO BE NECESSARY TO ENHANCE PUBLIC AND OFFICIAL UNDERSTANDING OF THE SCHOOL DISTRICT. SUCH INFORMATION SHALL BE SUBMITTED TO THE INDEPENDENT BUDGET OFFICE IN A TIMELY FASHION AND IN A FORM WHICH THE DIRECTOR DEEMS MOST APPROPRIATE.

S 8. Paragraph (i) of subdivision 1 of section 2590-i of the education law, as added by chapter 720 of the laws of 1996, is amended and a new paragraph (j) is added to read as follows:

(i) to manage and operate the school building and other facilities under its jurisdiction[.],

(J) TO HOLD PUBLIC MEETINGS AT LEAST TWICE DURING THE SCHOOL YEAR FOR THE PURPOSE OF REPORTING ON SCHOOL FINANCES AND STUDENT PERFORMANCE, AND TO DISCUSS PLANS FOR MEETING SCHOOLS' COMPREHENSIVE EDUCATION PLAN BENCHMARKS AND BUDGET TARGETS.

S 9. Paragraph (c) of subdivision 2 of section 2590-i of the education law, as amended by chapter 91 of the laws of 2002, is amended to read as follows:

(c) Principals AND ASSISTANT PRINCIPALS shall be selected consistent with regulations of the chancellor establishing a process that promotes AND ENSURES THAT parental [and], staff, STUDENT AND COMMUNITY involvement in the recruitment, screening, interviewing and recommendation of candidates. Candidates must meet the requirements of regulations of the chancellor establishing educational, managerial, and administrative qualifications, including evaluation of each candidate's record of performance in comparable positions. In the case of schools under the jurisdiction of the community districts, a candidate approved by a community superintendent may nonetheless, before assuming the position, be rejected by the chancellor for cause.

S 10. Subdivision 4 of section 2590-q of the education law, as amended by chapter 123 of the laws of 2003, is amended to read as follows:

4. On such date as the mayor shall direct, the chancellor shall submit to the mayor THE DATA PRESCRIBED IN PARAGRAPHS (A) THROUGH (D) OF THIS SUBDIVISION. BEFORE SUCH DATA CAN BE SUBMITTED TO THE MAYOR, THE CHANCELLOR MUST FIRST SECURE THE APPROVAL OF THE BOARD OF EDUCATION OF THE CITY SCHOOL DISTRICT OF NEW YORK. THE DATA MUST BE SUBMITTED TO THE BOARD OF EDUCATION AT LEAST SIXTY DAYS PRIOR TO THE DATE THE MAYOR SETS FOR SUBMISSION OF SUCH DATA. SUCH SUBMISSION SHALL INCLUDE:

(a) estimates[, as adopted by the city board,] of the total sum of money which [it] HE OR SHE deems necessary for the operation of the city district [(other than functions to be financed from funds provided for in the capital budget of the city)] during the next fiscal year of the city, together with the estimates submitted by the community district education councils;

(b) estimates of the amount to be received as a result of the apportionment of moneys payable from the state in such fiscal year; [and]

(c) estimates of the amount to be received for school system expenditures by the city district in such fiscal year from sources other than appropriations of city funds or appropriations or other provisions of funds in the capital budget of the city or apportionment of moneys from the state payable in such fiscal year; AND

(D) ESTIMATES OF THE TOTAL SUM OF MONEY WHICH HE OR SHE DEEMS NECESSARY FOR THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF EDUCATION'S FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN.

S 11. Subdivision b of section 2590-r of the education law, as added by chapter 720 of the laws of 1996, is amended to read as follows:

b. the principal of each school, IN CONSULTATION WITH SCHOOL LEADERSHIP TEAMS, SUCH STUDENT LEADERS TO BE ELECTED BY STUDENT COUNCIL, to propose a school-based expenditure budget, after soliciting input pursuant to section twenty-five hundred ninety-h, and twenty-five hundred ninety-i of this article on budget priorities from all members of the school community, AND TO ENSURE THAT SUCH BUDGETS ARE ALIGNED WITH A SCHOOL'S COMPREHENSIVE EDUCATION PLAN;

S 12. Section 402-a of the education law, as added by chapter 196 of the laws of 1990, is amended to read as follows:

S 402-a. Procedures for closing, RESTRUCTURING, RESITING OR INSERTING a school [building]. 1. At least six months in advance of a proposed school closing, RESTRUCTURING, RESITING OR INSERTION the trustees or board of education of a school district in which such building is located are hereby authorized and recommended to establish an advisory committee on school building utilization to investigate the educational impact of such a closing, RESTRUCTURING, RESITING OR INSERTION. In a city with a population of one million or more, when the city board is considering the closing, RESTRUCTURING, RESITING OR INSERTION of any school building, such city board is hereby authorized and recommended to establish such advisory committee on school building utilization for schools within its jurisdiction and delegate to the appropriate community school board the responsibility for appointing such a committee for any school within the jurisdiction of such community school board. Each committee may be comprised of but not limited to school district authorities, teaching and nonteaching personnel, parents of pupils who attend public schools in the district, other residents of the district, and representatives from business, labor and local government. Such committee, if established, shall prepare in writing an educational impact statement which shall consider the criteria stated in subdivision two of this section.

2. The factors to be considered by the committee in the educational impact statement shall include, but not be limited to:

(a) The current and projected pupil enrollment, the prospective need for such building, the ramifications of such closing, RESTRUCTURING, RESITING OR INSERTION upon the community, initial costs and savings resulting from such closing, RESTRUCTURING, RESITING OR INSERTION, the potential disposability of the closed school;

(b) Possible use of such school building for other educational programs or administrative services;

(c) The effect of such closing, RESTRUCTURING, RESITING OR INSERTION on personnel needs, and on the costs of instruction, administration, transportation and other support services;

(d) Type, age and physical condition of such building, outstanding indebtedness, maintenance and energy costs, recent or planned improvements for the building, and such building's special features;

(e) Ability of the other schools in the affected district to accommodate pupils if such school building closes, RESTRUCTURES, RESITES OR INSERTS; [and]

(f) Possible shared utilization of space in such school building during or after regular school hours, as permitted in section four hundred fourteen of this chapter; AND

(G) THE EFFECT OF SUCH CLOSING, RESTRUCTURING, RESITING OR INSERTION ON STUDENTS WHO ARE ENGLISH LANGUAGE LEARNERS, STUDENTS WITH DISABILITIES AND ON CLOSING THE ACHIEVEMENT GAP.

3. (a) Such educational impact statement shall be filed with the board of education or in a city with a population of one million or more, with the city board and/or the appropriate community school board, INCLUDING WHEN APPLICABLE THE COMMUNITY DISTRICT EDUCATION COUNCILS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS OR THE CITYWIDE COUNCIL ON SPECIAL EDUCATION. Such board of education shall publish a notice of such proposed closing, RESTRUCTURING, RESITING OR INSERTION in at least one newspaper of general circulation in the community once a week for two weeks, and shall post a notice conspicuously in the affected school district, which shall also be circulated to elected state and local public officials who represent the affected communities, AND SHALL SUBMIT WRITTEN NOTICE OF

THE PROPOSED CLOSING, RESTRUCTURING, RESITING OR INSERTION PROMPTLY TO THE APPROPRIATE COMMUNITY SCHOOL BOARD, INCLUDING WHEN APPLICABLE, COMMUNITY DISTRICT EDUCATION COUNCILS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS OR THE CITYWIDE COUNCIL ON SPECIAL EDUCATION.

(b) After the statement has been filed and circulated, the board of education, and in a city with a population of one million or more, the city board or, where applicable, the community school board, THE COMMUNITY DISTRICT EDUCATION COUNCILS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS OR THE CITYWIDE COUNCIL ON SPECIAL EDUCATION shall hold a public hearing to evaluate the impact of the proposed closing, RESTRUCTURING, RESITING OR INSERTION on the affected district. Such hearing shall be held within sixty days of the issuance of the educational impact statement at times and places convenient and accessible to the public. Notice of such hearing shall be published by such board of education in at least one newspaper of general circulation in the community once a week for two weeks, and shall be posted conspicuously in the affected school district, and shall also be circulated to elected state and local public officials who represent the affected communities. At such hearing, factors enumerated in subdivision two of this section shall be considered and alternatives may be presented by interested parties.

(c) The board of education shall render a decision at a regular or special meeting, the results of which shall be recorded and made available to the public. In a city having a population of one million or more, the community school board, THE COMMUNITY DISTRICT EDUCATION COUNCILS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS OR THE CITYWIDE COUNCIL ON SPECIAL EDUCATION SHALL VOTE AT A REGULAR MEETING OR SPECIAL MEETING REGARDING ITS APPROVAL OR DISAPPROVAL OF THE PROPOSED ACTION. SUCH COMMUNITY SCHOOL BOARDS, THE COMMUNITY DISTRICT EDUCATION COUNCILS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS OR THE CITYWIDE COUNCIL ON SPECIAL EDUCATION shall submit written [recommendations] DECISIONS for schools within its jurisdiction to the city board. THE CHANCELLOR OR ANY MEMBER OF THE CITY BOARD MAY SUBMIT AN APPEAL TO THE CITY BOARD REGARDING SUCH DECISION. The city board shall render a decision ON APPEALS for all proposed school building closings, RESTRUCTURINGS, RESITINGS OR INSERTIONS at a regular or special meeting, the results of which shall be recorded and made available to the public.

S 12-a. Section 93 of the New York city charter is amended by adding a new subdivision s to read as follows:

S. THE COMPTROLLER SHALL HAVE POWER TO AUDIT MATTERS RELATING TO SCHOOLS. THE DIRECTOR OF THE INDEPENDENT BUDGET OFFICE SHALL MAKE AVAILABLE TO THE COMPTROLLER, FOR AUDITING PURPOSES, ALL INFORMATION, DATA, ESTIMATES, EVALUATIONS, REPORTS, AND STATISTICS REGARDING THE DEPARTMENT OF EDUCATION'S FINANCES, INCLUDING BUT NOT LIMITED TO, REVENUES, EXPENDITURES, FINANCIAL MANAGEMENT PRACTICES AND RELATED MATTERS.

S 13. Subdivision b of section 259 of the New York city charter, as added by a vote of the people of the city of New York at the general election held in November of 1989, is amended to read as follows:

b. The appropriations available to pay for the expenses of the independent budget office during each fiscal year shall not be less than ten percentum of the appropriations available to pay for the expenses of the office of management and budget during such fiscal year. The director shall appoint such personnel and procure the services of such experts and consultants, within the appropriations available therefor, as may be necessary for the director to carry out the duties and functions assigned herein. Such personnel and experts shall perform such duties as may be assigned to them by the director. AN ADDITIONAL AMOUNT

NOT TO BE LESS THAN FIVE PER CENTUM OF THE APPROPRIATIONS AVAILABLE TO PAY FOR THE EXPENSES OF THE OFFICE OF MANAGEMENT AND BUDGET DURING EACH FISCAL YEAR SHALL BE MADE AVAILABLE TO PAY FOR CARRYING OUT THE FUNCTIONS PRESCRIBED IN SUBDIVISIONS F, G AND H OF SECTION TWO HUNDRED SIXTY OF THIS CHAPTER.

S 14. Section 260 of the New York city charter, as amended by a vote of the people of the city of New York at the general election held in November of 1989, is amended to read as follows:

S 260. Powers and duties. a. It shall be the duty of the INDEPENDENT BUDGET office to provide to the comptroller, the president of the council, the members and committees of the council, the borough presidents, and the community boards information which will assist such officials and bodies in the discharge of their responsibilities which are related to the budgetary process, including:

(1) information with respect to the budget, appropriations bills and proposed local laws with fiscal implications;

(2) information with respect to estimated revenues and receipts and changing revenue conditions; and

(3) to the extent practicable, such other information or analyses as may be requested by such officials and bodies.

b. The director, upon the request of a borough president or the president of the council for a proposed local law introduced by such official, or the chair or ranking minority member of a committee of the council for a proposed local law being considered by such committee, shall complete a fiscal impact statement of such proposed local law consistent with the requirements of section thirty-three OF THIS CHARTER.

c. The director shall from time to time publish such reports as may be appropriate to enhance official and public understanding of the budgetary process and of the budget documents published in accordance with the provisions of chapters six, nine and ten OF THIS CHARTER. The director shall from time to time publish such reports as may be necessary or appropriate to provide such information, data, and analysis as will enhance official and public understanding of matters relating to city revenues, expenditures, financial management practices and related matters.

d. The director may procure, for the office, up-to-date computer equipment, obtain the services of experts and consultants in computer technology, and develop techniques for the evaluation of revenue projections and budgetary requirements.

e. The director shall make all information, data, estimates, and statistics obtained [under subdivision c of section ninety-eight], and all studies and reports prepared by the office, available for public inspection and copying during normal business hours and shall, to the extent practicable, furnish a copy of any such information or report to any person upon request at a reasonable cost.

F. THE DIRECTOR SHALL ENSURE THAT THE OFFICE USES UP-TO-DATE, APPROPRIATE, AND PROFESSIONALLY ACCEPTED METHODOLOGIES IN PRODUCING ANNUAL DATA REPORTS AND THAT SUCH METHODOLOGIES USED ARE IDENTIFIED IN SUCH REPORTS.

G. THE DIRECTOR SHALL ANNUALLY COMPILE, PRODUCE AND WIDELY DISSEMINATE SCHOOL SYSTEM STUDENT DEMOGRAPHICS AND ACHIEVEMENT OUTCOMES, AND ANALYSES OF THE USE OF SCHOOL SYSTEM EXPENSE BUDGET AND CAPITAL BUDGET RESOURCES.

H. THE DIRECTOR SHALL UNDERTAKE FROM TIME TO TIME ANALYSES OF CRITICAL FISCALLY RELATED SCHOOL DISTRICT POLICY ISSUES. SUCH INFORMATION SHALL

BE INCLUDED IN REPORTS PREPARED BY THE OFFICE AND DISSEMINATED TO THE PUBLIC.

S 15. The New York city charter is amended by adding a new section 530 to read as follows:

S 530. CENTER FOR PARENT AND STUDENT SERVICE AND EMPOWERMENT. A. THERE SHALL BE A CENTER FOR PARENT AND STUDENT SERVICE AND EMPOWERMENT TO BE HEADED BY THE PUBLIC ADVOCATE.

B. THE PURPOSE OF THE CENTER FOR PARENT AND STUDENT SERVICE AND EMPOWERMENT SHALL BE TO PROVIDE OUTREACH, TRAINING AND SUPPORT FOR PARENTS AND STUDENTS OF SCHOOLS WITHIN THE CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK. THE DUTIES OF THE CENTER SHALL BE AS FOLLOWS:

1. PROVIDE TRAINING AND CONTINUOUS SUPPORT FOR CURRENT MEMBERS OF PARENT-TEACHER ASSOCIATIONS, SCHOOL LEADERSHIP TEAMS, COMMUNITY DISTRICT EDUCATION COUNCILS, DISTRICT LEADERSHIP TEAMS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS AND THE CITYWIDE COUNCIL ON SPECIAL EDUCATION. TOPICS OF TRAINING SHALL INCLUDE:

(I) BASELINE KNOWLEDGE OF CENTRAL DEPARTMENT OF EDUCATION STRUCTURE AND OPERATIONS, SCHOOL BUDGET PROCEDURES, STATE AND CITY STRUCTURES AND POLICIES THAT IMPACT EDUCATION; AND

(II) SKILLS-BUILDING INFORMATION REGARDING MEETING FACILITATION, TOOLS FOR PARENT OUTREACH AND LEADERSHIP DEVELOPMENT;

2. ADMINISTER OUTREACH TO PARENTS AND STUDENTS REGARDING THE PROCESS FOR GETTING INVOLVED WITH PARENT-TEACHER ASSOCIATIONS, SCHOOL LEADERSHIP TEAMS, COMMUNITY DISTRICT EDUCATION COUNCILS, DISTRICT LEADERSHIP TEAMS, THE CITYWIDE COUNCIL ON HIGH SCHOOLS AND THE CITYWIDE COUNCIL ON SPECIAL EDUCATION, AND OTHER BASIC TOOLS FOR NAVIGATING THE SCHOOL SYSTEM;

3. PROVIDE CAPACITY BUILDING OPPORTUNITIES FOR PARENT COORDINATORS; AND

4. HOLD CONFERENCES AND EVENTS TO EDUCATE PARENTS AND STUDENTS ON HOW TO GET MORE INVOLVED IN THEIR SCHOOL SYSTEMS AND COMMUNITIES.

C. FUNDING FOR DEVELOPMENT AND MAINTENANCE OF THE CENTER FOR PARENT AND STUDENT SERVICE AND EMPOWERMENT SHALL BE DRAWN FROM ANY APPROPRIATIONS AVAILABLE THROUGH THE DEPARTMENT OF EDUCATION, AND PUBLIC FUNDING.

D. THE PUBLIC ADVOCATE SHALL APPOINT SUCH PERSONNEL AND PROCURE THE SERVICES OF SUCH EXPERTS AND CONSULTANTS, WITHIN THE APPROPRIATIONS AVAILABLE PURSUANT TO SUBDIVISION B OF SECTION TWO HUNDRED FIFTY-NINE OF THIS CHARTER, AS MAY BE NECESSARY FOR THE PUBLIC ADVOCATE TO CARRY OUT THE DUTIES AND FUNCTIONS ASSIGNED HEREIN. SUCH PERSONNEL AND EXPERTS SHALL PERFORM SUCH DUTIES AS MAY BE ASSIGNED TO THEM BY THE PUBLIC ADVOCATE.

S 16. Subdivision 1 of section 2590-c of the education law, as added by chapter 123 of the laws of 2003, is amended to read as follows:

1. Each community district shall be governed by a community district education council. The community councils shall consist of eleven voting members [and one non-voting member], as follows:

(a) [Nine voting] EIGHT members shall be parents whose children are attending a school under the jurisdiction of the community district and shall be selected by the presidents and officers of the parents' association or parent-teachers' association. Such members shall serve for a term of two years.

(b) Two [voting] members shall be appointed by the borough presidents corresponding to such district. Such appointees shall be residents of, or own or operate a business in, the district and shall be individuals with extensive business, trade, or education experience and knowledge, who will make a significant contribution to improving education in the

district. Such members shall serve for a term of two years and may only be reappointed for one additional two year term.

(c) One [non-voting] member who is a high school senior residing in the district, appointed by the superintendent from among the elected student leadership. Such member shall serve for a one year term.

Members shall not be paid a salary or stipend, but shall be reimbursed for all actual and necessary expenses directly related to the duties and responsibilities of the community council.

S 17. Section 34 of chapter 91 of the laws of 2002, amending the education law and other laws relating to the reorganization of the New York city school construction authority, board of education and community boards, as amended by chapter 123 of the laws of 2003, is amended to read as follows:

S 34. This act shall take effect July 1, 2002; provided, that sections one, THREE, FIVE through twenty, twenty-four, and twenty-six through thirty of this act shall expire and be deemed repealed June 30, [2009] 2013; provided, further, that notwithstanding any provision of article 5 of the general construction law, on June 30, [2009] 2013 the provisions of subdivisions 3, 5, and 8, paragraph b of subdivision 13, subdivision 14, paragraphs b, d, and e of subdivision 15, and subdivisions 17 and 21 of section 2554 of the education law as repealed by section three of this act, subdivision 1 of section 2590-b of the education law as repealed by section six of this act, paragraph (a) of subdivision 2 of section 2590-b of the education law as repealed by section seven of this act, section 2590-c of the education law as repealed by section eight of this act, paragraph c of subdivision 2 of section 2590-d of the education law as repealed by section twenty-six of this act, subdivision 1 of section 2590-e of the education law as repealed by section twenty-seven of this act, subdivision 28 of section 2590-h of the education law as repealed by section twenty-eight of this act, subdivision 30 of section 2590-h of the education law as repealed by section twenty-nine of this act, subdivision 30-a of section 2590-h of the education law as repealed by section thirty of this act shall be revived and be read as such provisions existed in law on the date immediately preceding the effective date of this act; provided, however, that sections seven and eight of this act shall take effect on November 30, 2003; provided further that the amendments to subdivision 25 of section 2554 of the education law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 12 of chapter 147 of the laws of 2001, as amended, when upon such date the provisions of section four of this act shall take effect.

S 18. This act shall take effect immediately; provided that the amendments to subdivision 1 of section 2590-b of the education law made by section three of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith; provided that the amendments to paragraphs (s), (t) and (u) of subdivision 1 and subdivisions 2 and 3 of section 2590-f of the education law made by section four of this act shall not affect the expiration and repeal of such provision and shall be deemed to expire and be repealed therewith; provided that the amendments to section 2590-g of the education law made by section five of this act shall not affect the expiration of such section and shall be deemed to expire therewith; provided that the amendments to section 2590-g of the education law made by section six of this act shall survive the expiration and reversion of such section as provided in section 34 of chapter 91 of the laws of 2002, as amended; provided that the amendments to the opening paragraph and subdivisions 16 and 30

of section 2590-h of the education law made by section seven of this act shall not affect the repeal of such provisions and shall be deemed repealed therewith; provided that the amendments to paragraph (c) of subdivision 2 of section 2590-i of the education law made by section nine of this act shall not affect the repeal of such paragraph and shall be deemed repealed therewith; and provided that the amendments to subdivision 4 of section 2590-q of the education law made by section ten of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.