

5754

2009-2010 Regular Sessions

I N S E N A T E

June 3, 2009

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the New York city charter and the education law, in relation to mayoral control of the city's schools; and to repeal certain provisions of the education law relating thereto

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

1 Section 1. Subdivisions a, b, i and paragraph 6 of subdivision d of
2 section 2800 of the New York city charter, subdivisions a, b and i as
3 added by a vote of the people of the city of New York at the general
4 election held in November of 1989, paragraph 6 of subdivision d as
5 amended by local law number 102 of the city of New York for the year
6 1977, are amended and subdivision d is amended by adding a new paragraph
7 17-a to read as follows:
8 a. For each community district created pursuant to chapter sixty-nine
9 there shall be a community board which shall consist of (1) not more
10 than fifty persons appointed by the borough president for staggered
11 terms of two years, at least one-half of whom shall be appointed from
12 nominees of the council members elected from council districts which
13 include any part of the community district, and (2) all such council
14 members as non-voting members. The number of members appointed on the
15 nomination of each such council member shall be proportional to the
16 share of the district population represented by such council member. The
17 city planning commission, after each council redistricting pursuant to
18 chapter two-A, and after each community redistricting pursuant to
19 section twenty-seven hundred two, shall determine the proportion of the
20 community district's population represented by each council member.
21 Copies of such determinations shall be filed with the appropriate
22 borough president, community board, and council member. One-half of the
23 members appointed to any community board shall serve for a term of two
24 years beginning on the first day of April in each odd-numbered year in

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

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1 which they take office and one half of the members appointed to any
2 community board shall serve for a term of two years beginning on the
3 first day of April in each even-numbered year in which they take office.
4 Members shall serve until their successors are appointed but no member
5 may serve for more than sixty days after the expiration of his or her
6 original term unless reappointed by the borough president. Not more than
7 twenty-five percent of the appointed members shall be city employees. No
8 person shall be appointed to or remain as a member of the board who does
9 not have a residence, business, professional or other significant inter-
10 est in the district. The borough president shall assure adequate repre-
11 sentation from the different geographic sections and neighborhoods with-
12 in the community district. In making such appointments, the borough
13 president shall consider whether the aggregate of appointments fairly
14 represents all segments of the community. Community boards, civic groups
15 and other community groups and neighborhood associations may submit
16 nominations to the borough president and to council members. NOTWITH-
17 STANDING PROVISIONS ABOVE, NINE MEMBERS SHALL BE PARENTS WHOSE CHILDREN
18 ARE ATTENDING A SCHOOL UNDER THE JURISDICTION OF THE COMMUNITY BOARD AND
19 SHALL BE SELECTED BY THE PRESIDENTS AND OFFICERS OF THE PARENTS' ASSOCI-
20 ATION OR PARENT-TEACHERS' ASSOCIATION. SUCH MEMBERS SHALL SERVE FOR A
21 TERM OF TWO YEARS.

22 b. An appointed member may be removed from a community board for
23 cause, which shall include substantial nonattendance at board or commit-
24 tee meetings over a period of six months, by the borough president or by
25 a majority vote of the community board. Vacancies among the appointed
26 members shall be filled promptly upon the occurrence of the vacancy by
27 the borough president for the remainder of the unexpired term in the
28 same manner as regular appointments. NOTWITHSTANDING PROVISIONS ABOVE,
29 VACANCIES FOR NINE MEMBERS WHOSE CHILDREN ARE ATTENDING A SCHOOL UNDER
30 THE JURISDICTION OF THE COMMUNITY BOARD SHALL BE FILLED AFTER CONSULTA-
31 TION WITH THE PRESIDENTS' COUNCIL OR OTHER CONSULTATIVE BODY REPRESENT-
32 ING PARENTS' ASSOCIATIONS AND OTHER EDUCATIONAL GROUPS WITHIN THE
33 DISTRICT. RECOMMENDATIONS MADE BY SUCH PARENTS AND OTHER EDUCATIONAL
34 GROUPS SHALL BE SUBMITTED IN WRITING AND INCLUDED WITHIN THE RECORD OF
35 THE MEETING AT WHICH THE VACANCY IS FILLED.

36 (6) Render an annual report to the mayor, the council and the borough
37 board within three months of the end of each year and such other reports
38 to the mayor or the borough board as they shall require (such reports or
39 summaries thereof to be published in the City Record);

40 (I) EACH COMMUNITY BOARD SHALL PREPARE AND SUBMIT TO THE CITY BOARD,
41 COMMONLY KNOWN AS THE PANEL ON EDUCATION POLICY, A PERFORMANCE REPORT
42 EVERY MONTH DURING THE SCHOOL YEAR OF ITS EDUCATION COMMITTEE. THE
43 INFORMATION PROVIDED SHALL INCLUDE EDUCATION COMMITTEE COMMUNITY BOARD
44 MEMBERS' ATTENDANCE RECORDS; EDUCATION COMMITTEE ACTIVITIES; VISITS TO
45 SCHOOLS; AND POSITIONS ON MAJOR ISSUES BEFORE THE COMMUNITY BOARDS'
46 EDUCATION COMMITTEE.

47 (II) THE CITY BOARD SHALL REVIEW AND CONSOLIDATE THE PERFORMANCE
48 REPORTS INTO ONE COMPREHENSIVE CITY DISTRICT-WIDE REPORT, WHICH SHALL BE
49 DISSEMINATED TO THE COMMUNITY AND THE MEDIA SEMIANNUALLY.

50 (17-A) REVIEW MAJOR EDUCATION PROPOSALS MADE BY THE DEPARTMENT OF
51 EDUCATION IMPACTING SCHOOLS IN THE COMMUNITY DISTRICT. THE COMMUNITY
52 BOARD SHALL PROVIDE INPUT ON DEPARTMENT OF EDUCATION PROPOSALS:

53 (I) SUBSTANTIALLY EXPANDING OR REDUCING SUCH AN EXISTING SCHOOL OR
54 PROGRAM WITHIN A COMMUNITY DISTRICT;

55 (II) OPENING OR CLOSING A SCHOOL IN THE COMMUNITY DISTRICT;

1 (III) INITIALLY UTILIZING A COMMUNITY DISTRICT SCHOOL OR FACILITY FOR
2 SUCH A SCHOOL OR PROGRAM;

3 (IV) RELOCATING AN EXISTING SCHOOL IN THE COMMUNITY DISTRICT;

4 (V) INSTITUTING ANY NEW PROGRAM WITHIN A COMMUNITY DISTRICT;

5 (VI) PERMITTING A CHARTER SCHOOL TO UTILIZE SPACE IN A BUILDING OCCU-
6 PIED BY A COMMUNITY DISTRICT SCHOOL;

7 (VII) CHANGING ZONING LINES OF SCHOOLS IN THE COMMUNITY DISTRICT;

8 (VIII) PLANNING ANNUAL CAPACITY FOR EACH SCHOOL WITHIN THE COMMUNITY
9 DISTRICT BASED ON ENROLLMENT AND UTILIZATION DATA; AND

10 (IX) REDRAWING ZONING LINES UNDER THE JURISDICTION OF THE COMMUNITY
11 DISTRICT.

12 THE COMMUNITY BOARD OF THE IMPACTED COMMUNITY DISTRICT SHALL BE NOTI-
13 FIED OF PROPOSALS LISTED IN SUBPARAGRAPHS (I) THROUGH (IX) OF THIS PARA-
14 GRAPH BY THE DEPARTMENT OF EDUCATION AND WITHIN THIRTY DAYS OF RECEIVING
15 SUCH A PROPOSAL, THE COMMUNITY BOARD MAY HOLD A PUBLIC HEARING AND MAY
16 SUBMIT A RECOMMENDATION TO THE CHANCELLOR REGARDING THE PROPOSAL. THE
17 CHANCELLOR SHALL RESPOND TO THE COMMUNITY BOARD'S FEEDBACK IN WRITING
18 BEFORE A DECISION IS MADE ON THE ISSUE.

19 i. Each community board may create committees on matters relating to
20 its duties and responsibilities. EACH COMMUNITY BOARD MUST CREATE AN
21 EDUCATION COMMITTEE INCLUDING ALL PARENT MEMBERS OF THE COMMUNITY BOARD,
22 AS PRESCRIBED IN SUBDIVISION A OF THIS SECTION. It may include on such
23 committees persons with a residence or significant interest in the
24 community who are not members of the board, but each such committee
25 shall have a member of the board as its chairperson. Except as otherwise
26 provided by law, meetings of such committees shall be open to the
27 public.

28 S 2. Subdivision 4 of section 2590-a of the education law is REPEALED.

29 S 3. Subdivision 9 of section 2590-a of the education law, as amended
30 by chapter 123 of the laws of 2003, is amended to read as follows:

31 9. Educational facilities. The term "educational facilities" shall
32 mean land and the improvements thereon for use in connection with any
33 educational activity to be undertaken or provided by the city board [or
34 any community council] or any facility attendant thereto or any facility
35 necessary, useful or desirable in connection with such activity.

36 S 4. Paragraph e of subdivision 4 of section 2590-b of the education
37 law, as amended by chapter 123 of the laws of 2003, is amended to read
38 as follows:

39 e. [No person may serve on both the city-wide council on special
40 education and a community district education council.] A member of the
41 city-wide council on special education shall be ineligible to be
42 employed by such council, [any community district education council,] or
43 the city board. No person shall be eligible for membership on the city-
44 wide council on special education if he or she holds any elective public
45 office or any elective or appointed party position except that of dele-
46 gate or alternate delegate to a national, state, judicial or other party
47 convention, or member of a county committee.

48 A person who has been convicted of a felony, or has been removed from
49 the city-wide council on special education[,], OR a community school
50 board[, or community district education council] for any of the follow-
51 ing shall be permanently ineligible for appointment to the city-wide
52 council on special education: (1) an act of malfeasance directly related
53 to his or her service on such city-wide council on special education[,]
54 OR community school board [or community district education council]; or
55 (2) conviction of a crime, if such crime is directly related to his or

her service upon such city-wide council on special education[,] OR community school board [or community district education council].

S 5. Section 2590-c of the education law is REPEALED.

S 6. Section 2590-d of the education law, as amended by chapter 123 of the laws of 2003, is amended to read as follows:

S 2590-d. By-laws; regulations and decisions. 1. The city board and the chancellor shall prescribe such by-laws and regulations as may be necessary to make effectual the provisions of this chapter and for the conduct of the proceedings of said board. Said by-laws and regulations shall be published and indexed and revised at least annually. Copies of such by-laws and regulations shall be made available for public inspection at the offices of the city board, [each community council,] the office of the commissioner [of education], and the legislative library in Albany, and at such other places as the city board may deem proper. SUCH BY-LAWS AND REGULATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING REQUIREMENTS:

[2. Each community council shall prescribe such by-laws and regulations as may be necessary to make effectual the provisions of this chapter and for the conduct of the proceedings of said board. Such by-laws and regulations shall be filed with the city board and the commissioner of education and shall be made available for inspection by the public at the offices of the community council. Such by-laws shall include, but not be limited to the following requirements:]

a. that there shall be a parents' association or a parent-teachers' association in each school under its jurisdiction; AND

b. that the council, the community superintendent and the principal of each school shall have regular communication with all parents' associations and parent-teachers' associations within the community district, and meet with their elected officers at least quarterly during the school year, to the end that such associations are provided with full factual information pertaining to matters of pupil achievement, including but not limited to: annual reading scores, comparison of the achievement of pupils in comparable grades and schools, as well as the record of achievement of the same children as they progress through the school; provided, however, that such record and scores shall not be disclosed in a manner which will identify individual pupils.

[c. that community councils develop and implement a process consistent with procedures which shall be developed by the chancellor for community input in connection with the annual evaluation of the district superintendent and other instructional supervisors assigned or appointed to the district by the chancellor.

d. that all meetings of the community council be subject to article seven of the public officers law.

3.] 2. Copies of all written decisions rendered by the city board acting as an appeal board pursuant to subdivision [ten] THREE of section twenty-five hundred ninety-g and copies of all written decisions rendered by the chancellor pursuant to section twenty-five hundred ninety-1 OF THIS ARTICLE shall be published, indexed and revised at least semi-annually. Copies of said decisions shall be made available for public inspection at the offices of the city board, each community council, the office of the commissioner of education, and at such other places as the city board shall deem proper.

S 7. Subdivision 4 of section 2590-g of the education law, as amended by chapter 123 of the laws of 2003, is amended to read as follows:

4. subject to the provisions of section twenty-five hundred ninety-i of this article, maintain such jurisdiction over city-wide educational

1 policies governing the special, academic, vocational, and other high
2 schools authorized by this article before the effective date of this
3 section [as the respective community district education councils main-
4 tain over the schools within their jurisdiction], which shall not be
5 construed to require or authorize the day-to-day supervision or the
6 administration of the operations of such schools.

7 S 8. Paragraph (a) of subdivision 1, subdivisions 9 and 11, the open-
8 ing paragraph of subdivision 13 and subdivisions 31, 38, 39 and 44 of
9 section 2590-h of the education law, as amended by chapter 123 of the
10 laws of 2003, paragraph (b) of subdivision 39 as amended by chapter 285
11 of the laws of 2007, are amended to read as follows:

12 (a) ALL PREKINDERGARTEN, NURSERY, KINDERGARTEN, ELEMENTARY, INTERMEDI-
13 ATE, JUNIOR HIGH, AND academic and vocational senior high schools [until
14 such time as the same may be transferred to the jurisdiction of appro-
15 priate community district education councils pursuant to this article];

16 9. Furnish [community district education councils] COMMUNITY BOARDS
17 and the city board periodically with the results of such examinations
18 and evaluations and to make the same public.

19 11. Require [such community district education council or] THE super-
20 intendent to make such number of periodic reports as may be necessary to
21 accomplish the purposes of this chapter.

22 Perform the following functions throughout the city district[;
23 provided, however, that the chancellor and any community district educa-
24 tion council may agree that any such function may be appropriately
25 performed by the community district education council with respect to
26 the schools and programs under its jurisdiction]:

27 31. Intervene in any district or school which is persistently failing
28 to achieve educational results and standards approved by the city board
29 or established by the state board of regents, or has failed to improve
30 its educational results and student achievement in accordance with such
31 standards or state or city board requirements, or in any school or
32 district in which there exists, in the chancellor's judgment, a state of
33 uncontrolled or unaddressed violence. The chancellor may, in addition to
34 exercising any other powers authorized by this article, require such
35 school principal, or district as the case may be, to prepare a correc-
36 tive action plan, with a timetable for implementation of steps accepta-
37 ble to the chancellor to reach improvement goals consistent with city
38 board standards and educational results. The chancellor may require the
39 school or district to alter or improve the corrective action plan, or
40 may directly modify the plan. The chancellor shall monitor implementa-
41 tion of the plan, and, if the school or district fails to implement it,
42 may supersede any inconsistent decision of the school principal, [commu-
43 nity district education council] or community superintendent; assume
44 joint or direct control of the operation of the school or district to
45 implement the corrective action plan; or take any other action author-
46 ized by this article. Any action of the chancellor to [supercede] SUPER-
47 SEDE an inconsistent decision of the school principal, [community
48 district education council] or community superintendent, or to assume
49 joint or direct control of the operation of the school or district
50 pursuant to this subdivision may be appealed to the city board in
51 accordance with section twenty-five hundred ninety-g of this article.

52 38. To exercise all of the duties and responsibilities of the employ-
53 ing board as set forth in section three thousand twenty-a of this chap-
54 ter with respect to any member of the teaching or supervisory staff of
55 schools under the jurisdiction of the [community district education
56 councils] CHANCELLOR AND THE CITY BOARD. The chancellor shall exercise

1 all such duties and responsibilities for all community districts or may
2 delegate the exercise of all such duties and responsibilities to all of
3 the community superintendents of the city district.

4 39. (a) Prescribe regulations and by-laws requiring members of the
5 city board, the chancellor, and any other officer or employee in schools
6 and programs under the jurisdiction of the city board and the chancellor
7 to make annual written disclosure to the chancellor, of the following
8 information:

9 (i) the employment by the city school board [or any community district
10 education council] of any person related within the third degree of
11 consanguinity or affinity to the person making disclosure, including the
12 employment of any such person for which a two-thirds vote was required
13 under paragraph [e] (E) of subdivision four of section twenty-five
14 hundred ninety-j of this article, with a notation of the date such vote
15 was taken.

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

19 (b) The chancellor shall review, at least once annually, compliance
20 with the requirements of subdivisions five and six of section twenty-
21 five hundred ninety-e of this article and regulations or by-laws
22 prescribed in this subdivision. Any [community district education coun-
23 cil member,] community superintendent, or other officer or employee
24 required to make disclosure, who fails to make such disclosure, shall be
25 notified in writing of his or her failure to do so and given thirty days
26 within which to comply.

27 (d) Willful failure to make full and timely disclosure shall consti-
28 tute cause for removal from office of any member of the city board or
29 for any other officer or employee disciplinary action and such other
30 penalty as may be provided by law.

31 (e) Disclosures made pursuant to the requirements of this subdivision
32 and any notification of failure to make disclosures shall be made avail-
33 able for public inspection during regular business hours on regular
34 business days.

35 44. To provide the proper book or books in which he or she shall cause
36 the class teachers under the direction and supervision of the principal
37 to enter the names, ages, and residences of the pupils attending the
38 school, the name of the parent or guardian of each pupil, and the days
39 on which the pupils shall have attended respectively, and the aggregate
40 attendance of each pupil during the year, and also the day upon which
41 the school shall have been visited by the superintendent of schools or
42 by an associate superintendent of schools or by an assistant superinten-
43 dent, or by members of the city board, [or by members of the community
44 district education council, or by any of them,] which entry shall be
45 verified by such oath or affirmation of the principal as may be
46 prescribed by the chancellor. Such books shall be preserved as the prop-
47 erty of the chancellor and shall at all times be open to inspection by
48 members of the city board[, by members of the community councils] and by
49 the superintendent of schools, or by any associate superintendent of
50 schools, or by the assistant superintendents.

51 S 9. Subdivision 33 of section 2590-h of the education law is
52 REPEALED.

53 S 10. Subdivision 3 of section 2590-p of the education law, as amended
54 by chapter 123 of the laws of 2003, is amended to read as follows:

55 3. a. No later than January sixth, nineteen hundred eighty-nine, the
56 chancellor shall, in conjunction with the submission of the educational

1 facilities master plan required by section twenty-five hundred ninety-o
2 of this [chapter] ARTICLE, submit the initial proposed five-year educa-
3 tional facilities capital plan to each community [district education
4 council] BOARD, which shall conduct a public hearing on both the educa-
5 tional facilities master plan and the five-year educational facilities
6 capital plan and shall prepare and submit recommendations to the chan-
7 cellor on or before February twentieth, nineteen hundred eighty-nine
8 with respect to matters in the plans that involve that school district.
9 The chancellor shall consider the recommendations received from the
10 community [district education councils] BOARDS on both the proposed
11 educational facilities master plan and the proposed five-year educa-
12 tional facilities capital plan, and, on or before March eighth, nineteen
13 hundred eighty-nine, shall submit a final proposed five-year educational
14 facilities capital plan to the city board for its approval. On or before
15 March twenty-second, nineteen hundred eighty-nine, the city board shall
16 approve the five-year educational facilities capital plan submitted by
17 the chancellor or such plan as is determined by the city board, which
18 shall take effect on July first, nineteen hundred eighty-nine.

19 b. Commencing on November first, nineteen hundred ninety-three, and
20 every five years thereafter, the chancellor shall submit a proposed
21 five-year educational facilities capital plan to take effect on the
22 succeeding July first to each community [district education council]
23 BOARD, which shall conduct a public hearing and shall prepare and submit
24 recommendations to the chancellor on or before January first of the
25 ensuing year with respect to matters in the plan that involve that
26 school district. The chancellor shall consider the recommendations
27 received from the community [district education councils] BOARDS, and,
28 on or before February first of such year, shall submit a final proposed
29 five-year educational facilities capital plan to the city board for its
30 approval. On or before March first of such year, the city board shall
31 approve the five-year educational facilities capital plan submitted by
32 the chancellor.

33 S 11. Section 2590-q of the education law is REPEALED.

34 S 12. Paragraph c of subdivision 4 of section 211-d of the education
35 law, as added by section 12 of part A of chapter 57 of the laws of 2007,
36 is amended to read as follows:

37 c. In a city school district in a city of one million or more inhabit-
38 ants, each community district contract for excellence shall be consist-
39 ent with the citywide contract for excellence and shall be submitted by
40 the community superintendent to the community [district education coun-
41 cil] BOARD for review and comment at a public meeting.

42 S 13. Subdivision 2 of section 2590-a of the education law, as added
43 by chapter 330 of the laws of 1969, is amended to read as follows:

44 2. Community district. The term "community district" shall mean a
45 community school district [created or to be created within the city
46 district under the provisions of this article] **ALIGNED TO THE BOUNDARIES
47 OF COMMUNITY DISTRICTS AS CREATED BY CHAPTER SIXTY-NINE OF THE NEW YORK
48 CITY CHARTER.**

49 S 14. Subdivision 2 of section 2590-b of the education law is
50 REPEALED.

51 S 15. Subdivision 3 of section 2590-b of the education law, as amended
52 by chapter 727 of the laws of 1994, is amended to read as follows:

53 3. (a) The redistricting advisory study group established prior to the
54 effective date of this paragraph for the purpose of study and making
55 recommendations on community school district boundaries, is hereby
56 continued and shall **MAKE RECOMMENDATIONS ON ALIGNING COMMUNITY SCHOOL**

1 DISTRICT BOUNDARIES TO THE BOUNDARIES OF COMMUNITY DISTRICTS AS CREATED
2 BY CHAPTER SIXTY-NINE OF THE NEW YORK CITY CHARTER AND perform the
3 duties required herein.

4 (b) The study group shall prepare a report containing recommendations
5 for [dividing the city into no more than thirty-seven community
6 districts] ALIGNING COMMUNITY SCHOOL DISTRICT BOUNDARIES TO THE BOUNDARIES
7 OF COMMUNITY DISTRICTS AS CREATED BY CHAPTER SIXTY-NINE OF THE NEW
8 YORK CITY CHARTER.

9 (c) In preparation of its recommendations for [dividing the city into
10 community districts] ALIGNING COMMUNITY SCHOOL DISTRICT BOUNDARIES TO
11 THE BOUNDARIES OF COMMUNITY DISTRICTS AS CREATED BY CHAPTER SIXTY-NINE
12 OF THE NEW YORK CITY CHARTER, the study group shall ensure that the
13 recommendations provide for the most effective delivery of educational
14 services and shall be guided by the following criteria:

15 (1) [each community district shall: (i) be a suitable size for effi-
16 cient policy-making and economic management; (ii) contain a reasonable
17 number of pupils; (iii) be compact and contiguous, contained within
18 county lines, and to the maximum extent possible, keep intact communi-
19 ties and neighborhoods; and (iv) bear a rational relationship to
20 geographic areas for which the city of New York plans and provides
21 services;

22 (2) to the extent possible, keep existing lines intact;

23 (3)] the common and special education needs of the communities and
24 school children involved;

25 [(4)] (2) effective utilization of existing and planned school facili-
26 ties;

27 [(5)] (3) minimum disruption of existing and planned elementary
28 school-junior high/middle school-high school feeder patterns;

29 [(6)] (4) transportation facilities; AND

30 [(7)] (5) additional administrative costs involved in the creation of
31 such new districts[; and

32 (8) ensure fair and effective representation of racial and language
33 groups pursuant to the Voting Rights Act of 1965, as amended;

34 (9) notwithstanding the provisions of this subparagraph and subpara-
35 graphs one through eight of this paragraph: (i) the residents of the
36 county of New York in school district ten as it existed prior to the
37 implementation of this paragraph shall continue to remain in school
38 district ten as such district is comprised; (ii) the boundaries of
39 community district thirty-one shall continue to remain as they are
40 currently comprised; and (iii) no county shall have fewer community
41 school districts than in existence on the effective date of this para-
42 graph].

43 (d) The study group shall hold one or more public hearings in each
44 borough before final adoption of its recommendations. The study group
45 shall make its recommendations available to the public for inspection
46 and comment not less than one month before the first such public hear-
47 ing. Following its consideration of the comments received on the recom-
48 mendations, the study group shall prepare a report containing its final
49 recommendations. The study group shall submit its report to the city
50 board and make such report available to the public for inspection no
51 later than November first, [nineteen hundred ninety-four] TWO THOUSAND
52 TEN.

53 (e) The city board of education shall hold public hearings in each
54 borough on the recommendations submitted by the study group and may
55 adopt, revise or reject in whole or in part such recommendations, or,
56 may request the study group to submit adjusted recommendations. The

1 final recommendations shall be adopted by the city board of education no
2 later than February first, [nineteen hundred ninety-five] TWO THOUSAND
3 ELEVEN to take effect July first, [nineteen hundred ninety-six] TWO
4 THOUSAND TWELVE[, provided that such revised boundaries adopted by the
5 city board pursuant to this chapter shall be used for purposes of commu-
6 nity school board elections to be held on the first Tuesday in May,
7 nineteen hundred ninety-six].

8 (f) [Provided, however, that the city board may make minor adjust-
9 ments, (i) to correct errors that may occur in the district lines
10 adopted by the city board, or (ii) upon showing a change in circum-
11 stances. Any such limited revisions to community school district lines
12 may occur between the effective date of this paragraph and the city
13 board readjustment scheduled in the year two thousand four.

14 (g)] No public hearings required pursuant to this subdivision shall be
15 held during the months of July and August. All public hearings shall be
16 held at a time and place designated to maximize community and parent
17 participation. Notice of all such public hearings shall be provided in a
18 timely manner to all print and electronic media and shall be widely
19 distributed to all interested parties, so as to maximize participation
20 by parents and the community. In addition such notice shall be posted in
21 each school building and district office.

22 (G) NOTWITHSTANDING THE PROVISIONS OF THIS SUBDIVISION, ANY STUDENT
23 WHO IS ALREADY ATTENDING A PUBLIC SCHOOL UNDER THE COMMUNITY DISTRICT
24 BOUNDARIES AS THEY EXISTED PRIOR TO JULY FIRST, TWO THOUSAND TWELVE MAY
25 CONTINUE TO ATTEND SUCH PUBLIC SCHOOL.

26 S 16. Section 2590-h of the education law is amended by adding a new
27 subdivision 48 to read as follows:

28 48. TO CENTRALIZE AND REPURPOSE STAFF POSITIONS AND TO RELOCATE ANY
29 SUPERINTENDENT OR STAFF DISPLACED BY THE REALIGNMENT OF COMMUNITY
30 DISTRICTS IN ACCORDANCE WITH SECTION TWENTY-FIVE HUNDRED NINETY-B OF
31 THIS ARTICLE.

32 S 17. Section 2590-h of the education law is amended by adding a new
33 subdivision 39 to read as follows:

34 39. TO CENTRALIZE AND REPURPOSE STAFF POSITIONS AND TO RELOCATE ANY
35 SUPERINTENDENT OR STAFF DISPLACED BY THE REALIGNMENT OF COMMUNITY
36 DISTRICTS IN ACCORDANCE WITH SECTION TWENTY-FIVE HUNDRED NINETY-B OF
37 THIS ARTICLE.

38 S 18. This act shall take effect immediately; provided however that:

39 (a) the amendments to subdivision 9 of section 2590-a of the education
40 law made by section three of this act shall not affect the expiration of
41 such subdivision and shall be deemed expired therewith;

42 (b) the amendments to paragraph e of subdivision 4 of section 2590-b
43 of the education law made by section four of this act shall not affect
44 the repeal of such subdivision and shall be deemed repealed therewith;

45 (c) the amendments to section 2590-d of the education law made by
46 section six of this act shall not affect the expiration of such section
47 and shall be deemed to expire therewith;

48 (d) the amendments to subdivision 4 of section 2590-g of the education
49 law made by section seven of this act shall not affect the expiration of
50 such section and shall be deemed to expire therewith;

51 (e) the amendments to paragraph (a) of subdivision 1, subdivisions 9
52 and 11, the opening paragraph of subdivision 13 and subdivisions 31, 38,
53 39 and 44 of section 2590-h of the education law made by section eight
54 of this act shall not affect the expiration of such subdivisions and
55 shall be deemed to expire therewith;

1 (f) the amendments to subdivision 3 of section 2590-p of the education
2 law made by section ten of this act shall not affect the expiration of
3 such subdivision and shall be deemed to expire therewith; and
4 (g) subdivision 48 of section 2590-h of the education law as added by
5 section sixteen of this act shall expire on the same date and in the
6 same manner as section 12 of chapter 91 of the laws of 2002, as amended,
7 expires, when upon such date the provisions of section seventeen of this
8 act shall take effect.