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I N  S E N A T E

(PREFILED)

January 4, 2012

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

AN ACT to amend the education law, in relation to requiring parental representation on the board of education of the city school district of the city of New York and on certain other councils for such school district

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

Section 1. Paragraph (a) of subdivision 1 of section 2590-b of the education law, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

(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 appointed members: one member to be appointed by each borough president of the city of New York; and eight members to be appointed by the mayor of the city of New York. The chancellor shall serve as an ex-officio non-voting member of the city board. The city board shall elect its own chairperson from among its voting members. All thirteen appointed members shall serve at the pleasure of the appointing authority and shall not be employed in any capacity by the city of New York, or a subdivision thereof, or the city board. No appointed member of the city board shall also be a member, officer, or employee of any public corporation, authority, or commission where the mayor of the city of New York has a majority of the 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 attending a public school within the city school district of the city of New York. Each mayoral appointee shall be a resident of the city [and two] AT LEAST ONE OF WHICH shall be [parents] A PARENT of a child attending a public school within the city district, AND AT LEAST ONE OF WHICH SHALL BE A PARENT OF A CHILD ATTENDING A CHARTER SCHOOL WITHIN THE CITY DISTRICT. All parent members shall be eligible to continue to serve on the city board for two years following the conclu-

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

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sion of their child's attendance at a public school OR A CHARTER SCHOOL within the city district. Any vacancy shall be filled by appointment by the appropriate appointing authority within ninety days of such vacancy. 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.

S 2. Subparagraph 1 of paragraph a of subdivision 4 of section 2590-b of the education law, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

(1) nine voting members who shall be parents of students with individualized education programs, INCLUDING ONE FROM A CHARTER SCHOOL WITHIN THE CITY DISTRICT, to be selected by parents of students with individualized education programs pursuant to a representative process developed by the chancellor. Such members shall serve a two year term;

S 3. Subparagraph (i) of paragraph (a) of subdivision 5 of section 2590-b of the education law, as added by chapter 345 of the laws of 2009, is amended to read as follows:

(i) nine voting members who shall be parents of students who are in a bilingual or English as a second language program conducted pursuant to section thirty-two hundred four of this chapter, INCLUDING ONE FROM A CHARTER SCHOOL WITHIN THE CITY DISTRICT, to be selected by parents of students who receive such services pursuant to a representative process developed by the chancellor. Such members shall serve a two year term;

S 4. Subparagraph (i) of paragraph (a) of subdivision 6 of section 2590-b of the education law, as added by chapter 345 of the laws of 2009, is amended to read as follows:

(i) [ten] NINE voting members who shall be parents of students attending public high schools AND ONE VOTING MEMBER WHO SHALL BE A PARENT OF A STUDENT ATTENDING A CHARTER HIGH SCHOOL WITHIN THE CITY DISTRICT. Two members representing each borough shall be selected by presidents and officers of the parents' associations or parent-teachers' associations in the relevant borough, pursuant to a process established by the chancellor. Such members shall serve a two year term;

S 5. Paragraph (a) of subdivision 1 of section 2590-c of the education law, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

(a) Nine voting members shall be parents whose children are attending a school under the jurisdiction of the community district, or have attended a school under the jurisdiction of the community district within the preceding two years[, and], PROVIDED, THAT, IN ANY COMMUNITY DISTRICT HAVING A CHARTER SCHOOL WITHIN SUCH DISTRICT, AT LEAST ONE SUCH MEMBER SHALL BE A PARENT OF A CHILD ATTENDING A CHARTER SCHOOL WITHIN THE COMMUNITY DISTRICT. SUCH MEMBERS 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. Presidents and officers of parents' associations or parent-teachers' associations who are candidates in the selection process pursuant to this section shall not be eligible to cast votes in such selection process. The association shall elect a member to vote in the place of each such president or officer for the purposes of the selection process.

S 6. This act shall take effect on the first of July next succeeding the date on which it shall have become a law; provided, that the amendments to section 2590-b of the education law, made by sections one, two, three and four of this act, shall not affect the expiration of such

section and shall expire therewith; provided, further, that the amendments to section 2590-c of the education law, made by section five of this act, shall not affect the expiration of such section and shall expire therewith.