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I N   S E N A T E

April 11, 2012

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Introduced by Sens. MONTGOMERY, OPPENHEIMER, PARKER -- 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 the members and powers of the board of education of the city school district of 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.     Paragraph (a) of subdivision 1 of section 2590-b of the  
2 education law, as amended by chapter 345 of the laws of 2009, is amended  
3 to read as follows:  
4     (a) The board of education of the city school district of the city of  
5 New York is hereby continued. Such board of education shall consist of  
6 thirteen appointed members: one member to be appointed by each borough  
7 president of the city of New York; *FOUR BY THE CITY COUNCIL, ONE OF WHOM*  
8 *SHALL BE A REPRESENTATIVE OF A COLLEGE OR UNIVERSITY, ONE OF WHOM SHALL*  
9 *BE A MEMBER OF PARENT ORGANIZATIONS AND ONE OF WHOM SHALL BE A MEMBER OF*  
10 *A COMMUNITY DISTRICT EDUCATION COUNCIL; and [eight] FOUR* members to be  
11 appointed by the mayor of the city of New York. The chancellor shall  
12 serve as an ex-officio non-voting member of the city board. The city  
13 board shall elect its own chairperson from among its voting members. All  
14 thirteen appointed members shall serve at the pleasure of the appointing  
15 authority and shall not be employed in any capacity by the city of New  
16 York, or a subdivision thereof, or the city board. No appointed member  
17 of the city board shall also be a member, officer, or employee of any  
18 public corporation, authority, or commission where the mayor of the city  
19 of New York has a majority of the appointments. Each borough president's  
20 appointee shall be a resident of the borough for which the borough pres-  
21 ident appointing him or her was elected and shall be the parent of a  
22 child attending a public school within the city school district of the  
23 city of New York. Each mayoral appointee shall be a resident of the  
24 city and [two] ONE shall be [parents] A PARENT of a child attending a  
25 public school within the city district. All parent members shall be  
26 eligible to continue to serve on the city board for two years following

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

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1 the conclusion of their child's attendance at a public school within the  
2 city district. Any vacancy shall be filled by appointment by the appro-  
3 priate appointing authority within ninety days of such vacancy. Notwith-  
4 standing any provision of local law, the members of the board shall not  
5 have staff, offices, or vehicles assigned to them or receive compen-  
6 sation for their services, but shall be reimbursed for the actual and  
7 necessary expenses incurred by them in the performance of their duties.

8 S 2. The opening paragraph of section 2590-h of the education law, as  
9 amended by chapter 345 of the laws of 2009, is amended to read as  
10 follows:

11 The office of chancellor of the city district is hereby continued.  
12 Such chancellor shall serve at the pleasure of and be employed by the  
13 [mayor] CITY BOARD of the city of New York by contract. The length of  
14 such contract shall not exceed by more than two years the term of office  
15 of the [mayor] CITY BOARD authorizing such contract. The chancellor  
16 shall receive a salary to be fixed by the [mayor] CITY BOARD within the  
17 budgetary allocation therefor. He or she shall exercise all his or her  
18 powers and duties in a manner not inconsistent with the city-wide educa-  
19 tional policies of the city board. The chancellor shall have the follow-  
20 ing powers and duties as the superintendent of schools and chief execu-  
21 tive officer for the city district, which the chancellor shall exercise  
22 to promote an equal educational opportunity for all students in the  
23 schools of the city district, promote fiscal and educational equity,  
24 increase student achievement and school performance and encourage local  
25 school-based innovation, including the power and duty to:

26 S 3. This act shall take effect immediately; provided, however, that  
27 the amendments to subdivision 1 of section 2590-b and the opening para-  
28 graph of section 2590-h of the education law made by sections one and  
29 two of this act shall not affect the repeal of such provisions and shall  
30 be deemed repealed therewith.