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

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I N S E N A T E

April 11, 2012

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:

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; FOUR BY THE CITY COUNCIL, ONE OF WHOM SHALL BE A REPRESENTATIVE OF A COLLEGE OR UNIVERSITY, ONE OF WHOM SHALL BE A MEMBER OF PARENT ORGANIZATIONS AND ONE OF WHOM SHALL BE A MEMBER OF A COMMUNITY DISTRICT EDUCATION COUNCIL; and [eight] FOUR 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] ONE shall be [parents] A PARENT of a child attending a public school within the city district. All parent members shall be 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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the conclusion of their child's attendance at a public 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. The opening paragraph of section 2590-h of the education law, as amended by chapter 345 of the laws of 2009, is amended 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] CITY BOARD 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] CITY BOARD authorizing such contract. The chancellor shall receive a salary to be fixed by the [mayor] CITY BOARD 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 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:

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law made by sections one and two of this act shall not affect the repeal of such provisions and shall be deemed repealed therewith.