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

2848

2011-2012 Regular Sessions

I N S E N A T E

February 2, 2011

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

AN ACT to amend the education law, in relation to establishing a review panel for the waiver for qualifications for superintendents in cities having a population of one million or more; and making an appropriation therefor

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

Section 1. Subdivision 3 of section 3003 of the education law, as amended by chapter 149 of the laws of 1974, is amended to read as follows:

3. A. The commissioner, at the request of a board of education or board of cooperative educational services, may provide for the issuance of a certificate as superintendent of schools to exceptionally qualified persons who do not meet all of the graduate course or teaching requirements of subdivision one of this section, but whose exceptional training and experience are the substantial equivalent of such requirements and qualify such persons for the duties of a superintendent of schools, PROVIDED HOWEVER, IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE, THE ISSUANCE OF SUCH CERTIFICATE SHALL BE SUBJECT TO THE APPROVAL OF THE REVIEW PANEL ESTABLISHED PURSUANT TO PARAGRAPH B OF THIS SUBDIVISION.

B. THERE IS HEREBY CREATED A REVIEW PANEL FOR THE WAIVER FOR EXCEPTIONALLY QUALIFIED PERSONS FOR SUPERINTENDENTS. SUCH PANEL SHALL CONSIST OF THIRTEEN VOTING MEMBERS AS FOLLOWS:

(I) THE COMPTROLLER OF THE CITY OF NEW YORK;

(II) THE PUBLIC ADVOCATE OF THE CITY OF NEW YORK;

(III) TWO MEMBERS TO BE DESIGNATED BY THE MAYOR OF THE CITY OF NEW YORK;

(IV) ONE MEMBER TO BE DESIGNATED BY EACH BOROUGH PRESIDENT OF EACH BOROUGH IN THE CITY OF NEW YORK;

(V) ONE MEMBER DESIGNATED BY THE TEMPORARY PRESIDENT OF THE SENATE;

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

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(VI) ONE MEMBER DESIGNATED BY THE SPEAKER OF THE ASSEMBLY;
(VII) ONE MEMBER DESIGNATED BY THE MINORITY LEADER OF THE SENATE; AND
(VIII) ONE MEMBER DESIGNATED BY THE MINORITY LEADER OF THE ASSEMBLY.

C. THE MEMBERS SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL BE ENTITLED TO THEIR ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

D. THE PANEL SHALL MEET AT THE REQUEST OF THE COMMISSIONER OR THE BOARD OF REGENTS, AND SHALL VOTE ON WHETHER TO APPROVE SUCH WAIVER WITHIN THIRTY DAYS FROM THE REQUEST FROM SUCH BOARD.

E. APPROVAL OF ANY MATTER SHALL REQUIRE THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS VOTING THEREON.

S 2. The sum of twenty-five thousand dollars ($25,000) is hereby appropriated to the department of education out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available, for the purpose of carrying out the provisions of this act. Such moneys shall be payable on the audit and warrant of the comptroller on vouchers certified or approved by the commissioner of the department of education in the manner prescribed by law.

S 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of the foregoing section of this act on its effective date are authorized and directed to be made and completed on or before such effective date.