

1406

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. MONTGOMERY, DILAN, PARKER, PERKINS -- 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

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

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1 city of New York. Each mayoral appointee shall be a resident of the  
2 city and [two] ONE shall be [parents] A PARENT of a child attending a  
3 public school within the city district. All parent members shall be  
4 eligible to continue to serve on the city board for two years following  
5 the conclusion of their child's attendance at a public school within the  
6 city district. Any vacancy shall be filled by appointment by the appro-  
7 priate appointing authority within ninety days of such vacancy. Notwith-  
8 standing any provision of local law, the members of the board shall not  
9 have staff, offices, or vehicles assigned to them or receive compen-  
10 sation for their services, but shall be reimbursed for the actual and  
11 necessary expenses incurred by them in the performance of their duties.

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

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

30 S 3. This act shall take effect immediately; provided, however, that  
31 the amendments to subdivision 1 of section 2590-b and the opening para-  
32 graph of section 2590-h of the education law made by sections one and  
33 two of this act shall not affect the expiration of such provisions and  
34 shall be deemed to expire therewith.