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

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I N  A S S E M B L Y

January 15, 2014

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to vacancies on the community district education council

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

Section 1. Subparagraph 2 of paragraph (b) of subdivision 6 of section 2590-c of the education law, as added by chapter 345 of the laws of 2009, is amended to read as follows:

(2) If such vacancy results in the council not having at least one member who is a parent of a student who is an English language learner OR WHO HAS BEEN AN ENGLISH LANGUAGE LEARNER WITHIN THE PRECEDING TWO YEARS, or results in the council not having at least one member who is a parent of a student with an individualized education program, the community council shall select a parent having such qualifications to fill the vacancy.

S 2. Paragraph (c) of subdivision 8 of section 2590-c of the education law, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

(c) develop selection procedures for community council members which shall attempt to ensure membership that reflects a representative cross-section of the communities within the school district and diversity of the student population including those with particular educational needs, shall include consideration of the enrollment figures within each community district and the potential disparity of such enrollment from school to school within the district, and shall ensure that, to the extent possible, a school may have no more than one parent representative on the community council. Such procedures shall ensure that at least one position on the community council is filled by a parent of a student who is an English language learner OR WHO HAS BEEN AN ENGLISH LANGUAGE LEARNER WITHIN THE PRECEDING TWO YEARS, and at least one position is filled by a parent of a student with an individualized education program, and shall allow for the seven remaining positions to be filled by parents who are otherwise eligible.

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

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