

# STATE OF NEW YORK

3730

2017-2018 Regular Sessions

## IN SENATE

January 26, 2017

Introduced by Sens. MONTGOMERY, AVELLA, COMRIE, 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 mayoral control 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

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

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

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

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

28 § 3. This act shall take effect on the thirtieth day after it shall  
29 have become a law; provided, however, that the amendments to subdivision  
30 1 of section 2590-b and the opening paragraph of section 2590-h of the  
31 education law made by sections one and two of this act shall not affect  
32 the expiration of such provisions and shall be deemed to expire there-  
33 with.