

# STATE OF NEW YORK

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8479

2019-2020 Regular Sessions

## IN ASSEMBLY

July 10, 2019

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

AN ACT to amend the education law, in relation to requiring the board of education of the city school district of the city of Rochester to submit a proposition on school governance

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 2553 of the education law is amended by adding a  
2 new subdivision 11 to read as follows:

3 11. a. Notwithstanding any law to the contrary the board of education  
4 of the city school district of the city of Rochester shall submit a  
5 proposition on school governance at the earlier of either the annual  
6 school election or general election. Such proposition shall state:

7 "Due to the educational crisis students in our failing school system  
8 face, should the board of education of the city school district of the  
9 city of Rochester suspend its duties and authority for a period of five  
10 years, to commence at a time agreed to by the commissioner of education  
11 and the board of regents, during which time the commissioner of educa-  
12 tion shall take over the duties and responsibilities of the board,  
13 including but not limited to appointing a superintendent who will report  
14 directly to such commissioner, until the board of regents appoints the  
15 children's education excellence task force whose members will serve at  
16 the pleasure of the board of regents for the remainder of the five year  
17 period."

18 b. The notice of any annual school election at which such proposition  
19 shall be submitted pursuant to this section shall include a statement  
20 that such proposition will be so submitted. In the event that the board  
21 of education fails or refuses to include such information in such  
22 notice, the commissioner may prescribe the manner in which notice of the  
23 submission of such a proposition shall be given. Provided, however, if a  
24 referendum is exercised in the city of Rochester in relation to a propo-

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

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1 sition on school governance as stated above and the referred ordinance  
2 is sustained, such proposition shall be adopted and considered as if it  
3 were submitted by the board of education of the city school district of  
4 the city of Rochester for the purposes of this section.

5 c. Upon adoption of such proposition, the powers and duties of the  
6 board of education of the city school district of the city of Rochester  
7 shall be suspended immediately and be assumed by the commissioner until  
8 such time as the board of regents appoints a children's education excel-  
9 lence task force for the city of Rochester but not longer than five  
10 years.

11 d. The board of regents is hereby authorized and directed to appoint a  
12 children's education excellence task force for the city school district  
13 of the city of Rochester. Such task force will consist of five members.  
14 Members of the task force shall be local residents of the city of  
15 Rochester, one member must be a parent whose child is currently enrolled  
16 in the city school district of the city of Rochester. All members shall  
17 be selected based on input from parents of children enrolled in public  
18 school in the city school district of the city of Rochester, residents  
19 of the city of Rochester, education experts, including special education  
20 and urban education, the commissioner, and others, as the board of  
21 regents deems necessary. Members of the task force will serve at the  
22 pleasure of the board of regents but not longer than five years. Members  
23 must collectively have extensive knowledge in education curriculum,  
24 finances, cultural competency, bilingual education, special education  
25 and parental engagement.

26 e. The commissioner and the board of regents are hereby authorized and  
27 directed to establish an extensive improvement plan for the city of  
28 Rochester school district with help from the task force. The commission-  
29 er and the board of regents shall seek the input of parents of children  
30 enrolled in the city school district of the city of Rochester, residents  
31 of the city of Rochester, experts in areas including school governance,  
32 parental engagement, student engagement, pedagogy, culturally relevant  
33 instruction and curriculum, culturally responsive schools, bilingual  
34 education community schools, special education, and any other individ-  
35 uals or groups the commissioner, board of regents or the children's  
36 education excellence task force deems necessary. Such extensive improve-  
37 ment plan shall include a process and timeline for improvement and tran-  
38 sition from the task force to an elected board of education for the city  
39 of Rochester within five years from the date of the adoption of the  
40 proposition authorizing the commissioner to assume the duties of the  
41 board of education. Such extensive improvement plan shall be published  
42 on the website for the city school district of the city of Rochester and  
43 a copy shall be submitted to the speaker of the assembly, the majority  
44 leader of the senate and the governor.

45 f. The commissioner and board of regents shall hold at least four  
46 public meetings to solicit input on the extensive improvement plan and  
47 two public meetings on the proposed plan. Such proposed plan shall be  
48 implemented at least twenty-five days after the second public meeting on  
49 the plan.

50 g. The commissioner and board of regents may designate the task force  
51 established pursuant to paragraph d of this subdivision to carry out  
52 duties required to develop and implement the extensive improvement plan  
53 with benchmarks for implementation. The commissioner is authorized and  
54 directed to include the recommendations of the report issued on November  
55 fourteenth, two thousand eighteen titled "A Review of the Rochester  
56 School District" from the distinguished educator in the extensive

1 improvement plan and to take any actions necessary to implement such  
2 plan.

3 § 2. This act shall take effect immediately.