STATE OF NEW YORK

2406--B

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

Introduced by M. of A. HYNDMAN -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requirements associated with the New York city community school district system and the length of certain council members' terms

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

Section 1. Subparagraph 1 of paragraph (a) of subdivision 1 of section 2590-b of the education law is amended by adding a new clause (C) to read as follows:

(C) Commencing on July first, two thousand twenty-two, the board of education shall consist of fifteen members: one member to be appointed by each borough president of the city of New York, one member to be elected by community district education and city-wide council presidents, and nine members to be appointed by the mayor of the city of New York. On or before December thirty-first, two thousand twenty-one, the chancellor shall promulgate regulations establishing a process for community district education and city-wide council presidents to elect a member of the board, and processes for removal of such member and for the filling of such position in the event of a vacancy. The first member elected by community district education and city-wide council presidents pursuant to such regulations shall take office on July first, two thousand twenty-two and shall serve a term that ends on June thirtieth, two thousand twenty-four. Thereafter, the member elected by community district education and city-wide council presidents shall serve for a two year term commencing on July first.

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

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§ 2. Subparagraph 1 of paragraph a of subdivision 4 of section 2590-b of the education law, as amended by chapter 345 of the laws of 2009, is amended to read as follows:

(1) nine voting members who shall be parents of students with individualized education programs, to be selected by parents of students with individualized education programs pursuant to a representative process developed by the chancellor. Such members shall serve a two year term **and shall be eligible to continue serving their term following the conclusion of their child's individualized education program**;

§ 3. Subparagraph (i) of paragraph (a) of subdivision 5 of section 2590-b of the education law, as amended by chapter 103 of the laws of 2013, is amended to read as follows:

(i) nine voting members who shall be parents of students who [~~are~~] **at any time in the past enrolled** in a bilingual or English as a second language program conducted pursuant to section thirty-two hundred four of this chapter[~~, some of whom may be parents of students who have been in such a program within the preceding two years~~], to be selected by parents of students who receive **or have ever received** such services pursuant to a representative process developed by the chancellor. Such members shall serve a two year term **and shall be eligible to continue serving their term following the conclusion of their child's enrollment in a bilingual or English as a second language program**;

§ 4. Subparagraph (i) of paragraph (a) of subdivision 6 of section 2590-b of the education law, as amended by section 43-g of part YYY of chapter 59 of the laws of 2019, is amended to read as follows:

(i) ten voting members who shall be parents of students attending public high schools. For councils whose terms begin prior to two thousand twenty, two members representing each borough shall be selected by presidents and officers of the parents' associations or parent-teachers' associations in the relevant borough, pursuant to a process established by the chancellor. For councils whose terms begin in two thousand twenty-one [~~and thereafter~~], two members representing each borough shall be parents of public high school students in the relevant borough, pursuant to a process established by the chancellor. Such members shall serve a two year term, and shall be eligible to continue serving their term following the conclusion of their child's attendance at a public high school**. For councils whose terms begin in two thousand twenty-two and thereafter, two members representing each borough shall be selected by parents of public high school students in the relevant borough, pursuant to a process established by the chancellor. Such members shall serve a two year term, and shall be eligible to continue serving their term following the conclusion of their child's attendance at a public high school**;

§ 5. Subparagraph (iii) of paragraph (a) of subdivision 6 of section 2590-b of the education law, as added by chapter 345 of the laws of 2009, is amended to read as follows:

(iii) one voting member who shall be a parent of a student **who at any time in the past enrolled** in a bilingual or English as a second language program conducted in a public high school. Such member shall be appointed by the city-wide council on English language learners, and shall serve a two year term;

§ 6. This act shall take effect immediately, provided, however, that the amendments to section 2590-b of the education law made by sections one, two, three, four and five of this act shall not affect the expiration or repeal of such provisions and shall expire and be deemed repealed therewith.