

STATE OF NEW YORK

3976

2021-2022 Regular Sessions

IN ASSEMBLY

January 29, 2021

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

AN ACT to amend the education law, in relation to the powers and duties of the chancellor of education in the city of New York; to amend chapter 91 of the laws of 2002 amending the education law and other laws relating to the reorganization of the New York city school construction authority, board of education and community boards, in relation to the expiration and repeal date of certain provisions thereof; and to amend chapter 345 of the laws of 2009 amending the education law and other laws relating to the reorganization of the New York city board of education, chancellor, community councils and community superintendents, in relation to extending the expiration and repeal date of certain provisions thereof

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

1 Section 1. The opening paragraph of section 2590-h of the education
2 law, as amended by section 43-d of part YY of chapter 59 of the laws of
3 2019, is amended to read as follows:
4 The office of chancellor of the city district is hereby continued.
5 Such chancellor shall serve at the pleasure of and be employed by the
6 mayor of the city of New York by contract, with the advice and consent
7 of the New York city council. The chancellor shall meet the require-
8 ments of subdivision one of section three thousand three of this chap-
9 ter, provided that a person who has been issued a certificate as super-
10 intendent of schools pursuant to subdivision three of such section may
11 serve as chancellor on the basis of such certificate for no longer than
12 six months. The length of such contract shall not exceed by more than
13 two years the term of office of the mayor authorizing such contract. The
14 chancellor shall receive a salary to be fixed by the mayor within the
15 budgetary allocation therefor. He or she shall exercise all his or her
16 powers and duties in a manner not inconsistent with the city-wide educa-
17 tional policies of the city board. The chancellor shall have the follow-
18 ing powers and duties as the superintendent of schools and chief execu-
19 tive officer for the city district, which the chancellor shall exercise

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

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1 to promote an equal educational opportunity for all students in the
2 schools of the city district, promote fiscal and educational equity,
3 increase student achievement and school performance and encourage local
4 school-based innovation, including the power and duty to:

5 § 2. Section 34 of chapter 91 of the laws of 2002 amending the educa-
6 tion law and other laws relating to the reorganization of the New York
7 city school construction authority, board of education and community
8 boards, as amended by section 42 of part YYY of chapter 59 of the laws
9 of 2019, is amended to read as follows:

10 § 34. This act shall take effect July 1, 2002; provided, that sections
11 one through twenty, twenty-four, and twenty-six through thirty of this
12 act shall expire and be deemed repealed June 30, [~~2022~~] 2027 provided,
13 further, that notwithstanding any provision of article 5 of the general
14 construction law, on June 30, [~~2022~~] 2027 the provisions of subdivisions
15 3, 5, and 8, paragraph b of subdivision 13, subdivision 14, paragraphs
16 b, d, and e of subdivision 15, and subdivisions 17 and 21 of section
17 2554 of the education law as repealed by section three of this act,
18 subdivision 1 of section 2590-b of the education law as repealed by
19 section six of this act, paragraph (a) of subdivision 2 of section
20 2590-b of the education law as repealed by section seven of this act,
21 section 2590-c of the education law as repealed by section eight of this
22 act, paragraph c of subdivision 2 of section 2590-d of the education law
23 as repealed by section twenty-six of this act, subdivision 1 of section
24 2590-e of the education law as repealed by section twenty-seven of this
25 act, subdivision 28 of section 2590-h of the education law as repealed
26 by section twenty-eight of this act, subdivision 30 of section 2590-h of
27 the education law as repealed by section twenty-nine of this act, subdi-
28 vision 30-a of section 2590-h of the education law as repealed by
29 section thirty of this act shall be revived and be read as such
30 provisions existed in law on the date immediately preceding the effec-
31 tive date of this act; provided, however, that sections seven and eight
32 of this act shall take effect on November 30, 2003; provided further
33 that the amendments to subdivision 25 of section 2554 of the education
34 law made by section two of this act shall be subject to the expiration
35 and reversion of such subdivision pursuant to section 12 of chapter 147
36 of the laws of 2001, as amended, when upon such date the provisions of
37 section four of this act shall take effect.

38 § 3. Subdivision 12 of section 17 of chapter 345 of the laws of 2009
39 amending the education law and other laws relating to the reorganization
40 of the New York city board of education, chancellor, community councils
41 and community superintendents, as amended by section 43 of part YYY of
42 chapter 59 of the laws of 2019, is amended to read as follows:

43 12. any provision in sections one, two, three, four, five, six, seven,
44 eight, nine, ten and eleven of this act not otherwise set to expire
45 pursuant to section 34 of chapter 91 of the laws of 2002, as amended, or
46 section 17 of chapter 123 of the laws of 2003, as amended, shall expire
47 and be deemed repealed [~~June 30, 2022~~] in the same manner and upon the
48 same date as the expirations and repeals provided for in such section of
49 chapter 91 of the laws of 2002.

50 § 4. This act shall take effect immediately, provided, however, that
51 the amendments to the opening paragraph of section 2590-h of the educa-
52 tion law made by section one of this act shall not affect the expiration
53 of such paragraph and such section and shall be deemed to expire there-
54 with.