STATE OF NEW YORK

9436

IN ASSEMBLY

March 14, 2024

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

AN ACT to amend the education law, in relation to permitting borough presidents to remove persons they appointed to a community district education council for criminal wrongdoing or misconduct

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

Section 1. Paragraph (a) of subdivision 6 of section 2590-c of the education law, as amended by chapter 364 of the laws of 2022, is amended to read as follows:

(a) In addition to the conditions enumerated in the public officers law creating a vacancy[~~,~~]**:**

(1) a member of a community district education council who refuses or neglects to attend three meetings of such council of which he or she is duly notified, without rendering in writing a good and valid excuse therefore vacates his or her office by refusal to serve. Each absence and any written excuse rendered shall be included within the official written minutes of such meeting. After the third unexcused absence the community council shall declare a vacancy to the chancellor.

(2) a member of a community district education council appointed by a borough president who engages in criminal wrongdoing or misconduct, as such term is defined by the chancellor, may be removed from such appointment by the appointing borough president upon such time the community council shall declare a vacancy to the chancellor.

§ 2. Paragraph (a) of subdivision 8 of section 2590-c of the education law, as added by chapter 739 of the laws of 1988, is amended to read as follows:

(a) In addition to the conditions enumerated in the public officers law creating a vacancy[~~,~~]**:**

(1) a member of a community board who refuses or neglects to attend three meetings of his board of which he is duly notified, without rendering in writing a good and valid excuse therefor vacates his office by refusal to serve. Each absence and any written excuse rendered shall be included within the official written minutes of such meeting. After

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

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the third unexcused absence the board shall declare a vacancy and certify the existence of the vacancy to the chancellor.

(2) a member of a community district education council appointed by a borough president who engages in criminal wrongdoing or misconduct, as such term is defined by the chancellor, may be removed from such appointment by the appointing borough president upon such time the board shall declare a vacancy and certify the existence of the vacancy to the chancellor.

§ 3. This act shall take effect immediately; provided that the amendments to section 2590-c of the education law made by section one of this act shall be subject to the expiration and reversion of such section when upon such date the provisions of section two of this act shall take effect.