

# STATE OF NEW YORK

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2439

2023-2024 Regular Sessions

## IN ASSEMBLY

January 26, 2023

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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 chapter 364 of the laws of 2022, is amended to  
9 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, [~~2024~~] 2029 provided,  
13 further, that notwithstanding any provision of article 5 of the general  
14 construction law, on June 30, [~~2024~~] 2029 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 chapter 364 of the laws of  
42 2022, 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, 2024~~] 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.