STATE OF NEW YORK

2439

2023-2024 Regular Sessions

IN ASSEMBLY

January 26, 2023

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:

Section 1. The opening paragraph of section 2590-h of the education law, as amended by section 43-d of part YYY of chapter 59 of the laws of 2019, is amended to read as follows:

The office of chancellor of the city district is hereby continued. Such chancellor shall serve at the pleasure of and be employed by the mayor of the city of New York by contract*, with the advice and consent of the New York city council*. The chancellor shall meet the requirements of subdivision one of section three thousand three of this chapter, provided that a person who has been issued a certificate as superintendent of schools pursuant to subdivision three of such section may serve as chancellor on the basis of such certificate for no longer than six months. The length of such contract shall not exceed by more than two years the term of office of the mayor authorizing such contract. The chancellor shall receive a salary to be fixed by the mayor within the budgetary allocation therefor. He or she shall exercise all his or her powers and duties in a manner not inconsistent with the city-wide educational policies of the city board. The chancellor shall have the following powers and duties as the superintendent of schools and chief executive 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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to promote an equal educational opportunity for all students in the schools of the city district, promote fiscal and educational equity, increase student achievement and school performance and encourage local school-based innovation, including the power and duty to:

§ 2. Section 34 of 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, as amended by chapter 364 of the laws of 2022, is amended to read as follows:

§ 34. This act shall take effect July 1, 2002; provided, that sections one through twenty, twenty-four, and twenty-six through thirty of this act shall expire and be deemed repealed June 30, [~~2024~~] **2029** provided, further, that notwithstanding any provision of article 5 of the general construction law, on June 30, [~~2024~~] **2029** the provisions of subdivisions 3, 5, and 8, paragraph b of subdivision 13, subdivision 14, paragraphs b, d, and e of subdivision 15, and subdivisions 17 and 21 of section 2554 of the education law as repealed by section three of this act, subdivision 1 of section 2590-b of the education law as repealed by section six of this act, paragraph (a) of subdivision 2 of section 2590-b of the education law as repealed by section seven of this act, section 2590-c of the education law as repealed by section eight of this act, paragraph c of subdivision 2 of section 2590-d of the education law as repealed by section twenty-six of this act, subdivision 1 of section 2590-e of the education law as repealed by section twenty-seven of this act, subdivision 28 of section 2590-h of the education law as repealed by section twenty-eight of this act, subdivision 30 of section 2590-h of the education law as repealed by section twenty-nine of this act, subdivision 30-a of section 2590-h of the education law as repealed by section thirty of this act shall be revived and be read as such provisions existed in law on the date immediately preceding the effective date of this act; provided, however, that sections seven and eight of this act shall take effect on November 30, 2003; provided further that the amendments to subdivision 25 of section 2554 of the education law made by section two of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 12 of chapter 147 of the laws of 2001, as amended, when upon such date the provisions of section four of this act shall take effect.

§ 3. Subdivision 12 of section 17 of 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, as amended by chapter 364 of the laws of 2022, is amended to read as follows:

12. any provision in sections one, two, three, four, five, six, seven, eight, nine, ten and eleven of this act not otherwise set to expire pursuant to section 34 of chapter 91 of the laws of 2002, as amended, or section 17 of chapter 123 of the laws of 2003, as amended, shall expire and be deemed repealed [~~June 30, 2024~~] **in the same manner and upon the same date as the expirations and repeals provided for in such section of chapter 91 of the laws of 2002**.

§ 4. This act shall take effect immediately, provided, however, that the amendments to the opening paragraph of section 2590-h of the education law made by section one of this act shall not affect the expiration of such paragraph and such section and shall be deemed to expire therewith.