

STATE OF NEW YORK

4012--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. RAMOS, BICHOTTE HERMELYN, JEAN-PIERRE, SIMON, SEAWRIGHT, HYNDMAN, MEEKS, KELLES, WALKER, EPSTEIN, GIBBS, SIMONE, CUNNINGHAM, REYES, DARLING -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to school district diversity, equity and inclusion officers

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

Section 1. Subdivision 1 of section 2101 of the education law, as amended by chapter 107 of the laws of 1976, is amended to read as follows:

1. Each common school district shall have one or three trustees as the district determines, a collector except in first class towns and except as may be otherwise provided by law, a diversity, equity and inclusion officer, and if the district so decides a treasurer.

§ 2. Section 2102 of the education law, as amended by chapter 737 of the laws of 1992, is amended to read as follows:

§ 2102. Qualifications of officers. Every school district officer must be able to read and write and must be a qualified voter of the district; and each member of a board of education of a union free school district, common school district or a central school district shall have been a resident of the school district, or in the case of a person qualified by subdivision three of section twenty hundred twelve of this chapter to vote in a district election, a resident of the district or reservation, for at least one year prior to the election. Notwithstanding the provisions of any other general or special law to the contrary, a school district treasurer, collector, diversity, equity and inclusion

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

LBD08285-02-4

1 officer or clerk need not be a resident of the school district to hold
2 such office in such district.

3 § 3. Subdivision 1 of section 2103 of the education law is amended to
4 read as follows:

5 1. No district superintendent or supervisor is eligible to the office
6 of trustee or member of a board of education, and no trustee or member
7 of a board of education can hold the office of district clerk, collec-
8 tor, diversity, equity and inclusion officer, treasurer or librarian,
9 except as otherwise provided by section twenty-one hundred thirty.

10 § 4. Section 2103 of the education law is amended by adding a new
11 subdivision 5 to read as follows:

12 5. An administrative employee of the school district shall be
13 appointed as the school district diversity, equity and inclusion offi-
14 cer.

15 § 5. The part heading of part 2 of article 43 of the education law is
16 amended to read as follows:

17 DISTRICT CLERK; TREASURER; DIVERSITY, EQUITY AND INCLUSION
18 OFFICER; COLLECTOR

19 § 6. The education law is amended by adding a new section 2131 to
20 read as follows:

21 § 2131. Duties of diversity, equity and inclusion officer. It shall
22 be the duty of the diversity, equity and inclusion officer of each
23 school district to develop methods to diversify the personnel of the
24 school district, with an emphasis on diversifying teaching staff. The
25 diversity, equity and inclusion officer shall annually review racial and
26 ethnic disparities within the school district and shall encourage and
27 assist in the recruitment and retention of a more racially and
28 ethnically diverse staff. The diversity, equity and inclusion officer
29 shall also review school district policies and practices and recommend
30 changes to such policies and practices to reduce racial and ethnic
31 disparities in hiring school district employees, particularly teachers.
32 The diversity, equity and inclusion officer shall publish an annual
33 report on the school district's plans, processes and progress in hiring
34 and retaining educators of color. Such report shall be presented to the
35 local board of education and shall be available to the public.

36 § 7. Section 1709 of the education law is amended by adding a new
37 subdivision 44 to read as follows:

38 44. To prepare a report in response to the annual report presented to
39 the board of education by the diversity, equity and inclusion officer
40 pursuant to section twenty-one hundred thirty-one of this title relating
41 to the school district's plans, processes and progress in hiring and
42 retaining educators of color and to submit such report to the depart-
43 ment.

44 § 8. Section 1804 of the education law is amended by adding a new
45 subdivision 13 to read as follows:

46 13. The board shall prepare a report in response to the annual report
47 presented to the board of education by the diversity, equity and inclu-
48 sion officer pursuant to section twenty-one hundred thirty-one of this
49 title relating to the school district's plans, processes and progress in
50 hiring and retaining educators of color and to submit such report to the
51 department.

52 § 9. Section 2503 of the education law is amended by adding a new
53 subdivision 22 to read as follows:

54 22. Shall prepare a report in response to the annual report presented
55 to the board of education by the diversity, equity and inclusion officer
56 pursuant to section twenty-one hundred thirty-one of this title relating

1 to the school district's plans, processes and progress in hiring and
2 retaining educators of color and to submit such report to the depart-
3 ment.

4 § 10. Section 2554 of the education law is amended by adding a new
5 subdivision 29 to read as follows:

6 29. To prepare a report in response to the annual report presented to
7 the board of education by the diversity, equity and inclusion officer
8 pursuant to section twenty-one hundred thirty-one of this title relating
9 to the school district's plans, processes and progress in hiring and
10 retaining educators of color and to submit such report to the depart-
11 ment.

12 § 11. Section 305 of the education law is amended by adding a new
13 subdivision 61 to read as follows:

14 61. The commissioner shall prepare an annual report based on the
15 reports submitted to the department by local boards of education on
16 school districts' plans, processes and progress in hiring and retaining
17 educators of color and shall submit such report to the legislature annu-
18 ally.

19 § 12. This act shall take effect immediately.