

# 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:

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

4 (a) In addition to the conditions enumerated in the public officers  
5 law creating a vacancy[-];

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

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

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

21 (a) In addition to the conditions enumerated in the public officers  
22 law creating a vacancy[-];

23 (1) a member of a community board who refuses or neglects to attend  
24 three meetings of his board of which he is duly notified, without  
25 rendering in writing a good and valid excuse therefor vacates his office  
26 by refusal to serve. Each absence and any written excuse rendered shall  
27 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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1 the third unexcused absence the board shall declare a vacancy and certi-  
2 fy the existence of the vacancy to the chancellor.

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

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