

STATE OF NEW YORK

5088

2025-2026 Regular Sessions

IN SENATE

February 18, 2025

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Education

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:

- 1 Section 1. Subdivision 1 of section 2101 of the education law, as
2 amended by chapter 107 of the laws of 1976, is amended to read as
3 follows:
- 4 1. Each common school district shall have one or three trustees as the
5 district determines, a collector except in first class towns and except
6 as may be otherwise provided by law, a diversity, equity and inclusion
7 officer, and if the district so decides a treasurer.
- 8 § 2. Section 2102 of the education law, as amended by chapter 737 of
9 the laws of 1992, is amended to read as follows:
- 10 § 2102. Qualifications of officers. Every school district officer
11 must be able to read and write and must be a qualified voter of the
12 district; and each member of a board of education of a union free school
13 district, common school district or a central school district shall have
14 been a resident of the school district, or in the case of a person qual-
15 ified by subdivision three of section twenty hundred twelve of this
16 chapter to vote in a district election, a resident of the district or
17 reservation, for at least one year prior to the election. Notwithstand-
18 ing the provisions of any other general or special law to the contrary,
19 a school district treasurer, collector, diversity, equity and inclusion
20 officer or clerk need not be a resident of the school district to hold
21 such office in such district.
- 22 § 3. Subdivision 1 of section 2103 of the education law is amended to
23 read as follows:
- 24 1. No district superintendent or supervisor is eligible to the office
25 of trustee or member of a board of education, and no trustee or member

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

LBD00413-01-5

1 of a board of education can hold the office of district clerk, collec-
2 tor, diversity, equity and inclusion officer, treasurer or librarian,
3 except as otherwise provided by section twenty-one hundred thirty.

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

6 5. An administrative employee of the school district shall be
7 appointed as the school district diversity, equity and inclusion offi-
8 cer.

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

11 DISTRICT CLERK; TREASURER; DIVERSITY, EQUITY AND INCLUSION
12 OFFICER; COLLECTOR

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

15 § 2131. Duties of diversity, equity and inclusion officer. It shall
16 be the duty of the diversity, equity and inclusion officer of each
17 school district to develop methods to diversify the personnel of the
18 school district, with an emphasis on diversifying teaching staff. The
19 diversity, equity and inclusion officer shall annually review racial and
20 ethnic disparities within the school district and shall encourage and
21 assist in the recruitment and retention of a more racially and
22 ethnically diverse staff. The diversity, equity and inclusion officer
23 shall also review school district policies and practices and recommend
24 changes to such policies and practices to reduce racial and ethnic
25 disparities in hiring school district employees, particularly teachers.
26 The diversity, equity and inclusion officer shall publish an annual
27 report on the school district's plans, processes and progress in hiring
28 and retaining educators of color. Such report shall be presented to the
29 local board of education and shall be available to the public.

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

32 44. To prepare a report in response to the annual report presented to
33 the board of education by the diversity, equity and inclusion officer
34 pursuant to section twenty-one hundred thirty-one of this title relating
35 to the school district's plans, processes and progress in hiring and
36 retaining educators of color and to submit such report to the depart-
37 ment.

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

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

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

48 22. Shall prepare a report in response to the annual report presented
49 to the board of education by the diversity, equity and inclusion officer
50 pursuant to section twenty-one hundred thirty-one of this title relating
51 to the school district's plans, processes and progress in hiring and
52 retaining educators of color and to submit such report to the depart-
53 ment.

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

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

7 § 11. Section 305 of the education law is amended by adding a new
8 subdivision 63 to read as follows:

9 63. The commissioner shall prepare an annual report based on the
10 reports submitted to the department by local boards of education on
11 school districts' plans, processes and progress in hiring and retaining
12 educators of color and shall submit such report to the legislature annu-
13 ally.

14 § 12. This act shall take effect immediately.