

STATE OF NEW YORK

6302

2025-2026 Regular Sessions

IN ASSEMBLY

March 3, 2025

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to providing for the appointment of members of the board of education in the city of Buffalo

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

1 Section 1. Subdivision a of section 2552 of the education law, as
2 amended by chapter 138 of the laws of 1974, is amended to read as
3 follows:

4 a. City school district of the city of Buffalo: [~~nine~~] eleven
5 members.

6 § 1-a. Subdivision a of section 2552 of the education law, as amended
7 by chapter 311 of the laws of 2024, is amended to read as follows:

8 a. City school district of the city of Buffalo: [~~nine~~] eleven
9 members.

10 § 2. Subdivision 1 of section 2553 of the education law, as separately
11 amended by chapters 211 and 441 of the laws of 1980, is amended to read
12 as follows:

13 1. No person shall be eligible to the office of member of a board of
14 education who is not a citizen of the United States, who is not quali-
15 fied to register for or vote at an election in accordance with the
16 provisions of section 5-106 of the election law, and who, in the case of
17 the city school district of the city of Yonkers, has not been a resident
18 of the city school district for which [~~he~~] such member is chosen for a
19 period of at least three years immediately preceding the date of [~~his~~]
20 such member's election or appointment and who, in the case of the city
21 school district of the city of Buffalo, in the case of a member to be
22 elected or appointed at large is not a qualified voter of such city
23 school district and who has not been a resident of such district for a
24 period of at least three years immediately preceding the date of [~~his~~]

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

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1 such member's election or appointment and in the case of a member
2 elected from a city school subdistrict is not a qualified voter of such
3 city school subdistrict and has not been a resident of the city school
4 district for three years and a resident of the city school subdistrict
5 which [~~he~~] such member represents or seeks to represent for a period of
6 one year immediately preceding the date of [~~his~~] such member's election,
7 and who, in the case of the city school district of the city of Roches-
8 ter, is not a qualified voter under section 5-102 of the election law of
9 such city school district; and who in the case of the city school
10 district of the city of Syracuse has not been a qualified voter under
11 section 5-102 of the election law of such city school district for at
12 least ninety days immediately preceding the date of [~~his~~] such member's
13 election or appointment.

14 § 3. Paragraph a of subdivision 10 of section 2553 of the education
15 law, as added by chapter 242 of the laws of 1974, is amended to read as
16 follows:

17 a. The members of the board of education of the city school district
18 of the city of Buffalo shall be elected or appointed by the qualified
19 voters of such city as provided herein.

20 § 4. Paragraph c of subdivision 10 of section 2553 of the education
21 law, as added by chapter 242 of the laws of 1974, is amended to read as
22 follows:

23 c. The members of the board of education of the city school district
24 of the city of Buffalo shall be [~~elected~~] chosen as follows: one member
25 from each of such six city school subdistricts within such city by the
26 qualified voters therein [~~and~~] pursuant to an election as provided here-
27 in, three members of such board of education shall be chosen by the
28 qualified voters at large within such city pursuant to an election as
29 provided herein, one member of such board of education shall be
30 appointed by the mayor at large from within the city and one member of
31 such board shall be appointed by the common council at large from within
32 the city.

33 § 5. Paragraph n of subdivision 10 of section 2553 of the education
34 law, as added by chapter 242 of the laws of 1974, is amended to read as
35 follows:

36 n. The term of office of each member of such board from a city school
37 subdistrict shall be three years, and the term of office of each such
38 member of the board elected or appointed at large shall be for five
39 years. Of the candidates to be elected for membership on the board of
40 education of the city school district of the city of Buffalo by the
41 voters at large the three candidates receiving the largest number of
42 votes cast in the city, shall be declared elected as at-large members of
43 such board of education. In each city school subdistrict the candidates
44 seeking the election as the member of such board of education for such
45 city school subdistrict receiving a plurality of votes in such city
46 school subdistrict shall be declared elected to that position.

47 Whenever a vacancy shall occur or exist in the office of an elected
48 member of the board of education except by reason of expiration of term
49 or increase in the number of members of such board, such vacancy shall
50 be filled by a majority vote of the remaining members of the board of
51 education within thirty days of the date when such vacancy shall have
52 occurred. If the remaining members of the board of education shall fail
53 to fill such vacancy within such thirty day period, then the mayor of
54 the city of Buffalo shall within thirty days thereafter fill such vacan-
55 cy subject to the confirmation of such appointment by the common council
56 of the city of Buffalo. No one shall be appointed to fill a vacancy of a

1 subdistrict member of the board of education unless [~~he~~] such person
2 fulfills all of the qualifications in this subdivision to enable [~~him~~]
3 such person to be a candidate for the office of a member of the board of
4 education from the subdistrict involved. Whenever a vacancy shall occur
5 or exist in the office of an appointed member of the board of education
6 except by reason of expiration of term, such vacancy shall be filled by
7 appointment by the mayor of the city of Buffalo within thirty days of
8 the date when such vacancy shall have occurred.

9 § 6. Paragraph o of subdivision 10 of section 2553 of the education
10 law, as amended by chapter 561 of the laws of 2019, is amended to read
11 as follows:

12 o. The members so elected or appointed to the board of education shall
13 convene on the first business day in January of each year, at the time
14 of the commencement of their term of office and select from their
15 members a president who shall serve for a term of one year or such other
16 term, not exceeding the term of [~~his~~] such member's office, as may be
17 fixed by the rules and regulations of the board. The initial terms of
18 office for members appointed at large by the mayor shall terminate at
19 the same time as the members elected at large at the time of their
20 appointment. Thereafter, their terms of office shall commence with the
21 elected members of the board of education.

22 § 7. This act shall take effect immediately; provided that section
23 one-a of this act shall take effect on the same date and in the same
24 manner as section 10 of chapter 311 of the laws of 2024, takes effect.