

STATE OF NEW YORK

5088--A

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 -- 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:

- 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:

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

LBD00413-02-5

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

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

8 5. An administrative employee of the school district shall be
9 appointed by the superintendent as the school district diversity, equity
10 and inclusion officer.

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

13 DISTRICT CLERK; TREASURER; DIVERSITY, EQUITY AND INCLUSION
14 OFFICER; COLLECTOR

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

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

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

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

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

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

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

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

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

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

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

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

16 § 12. This act shall take effect immediately.