

1516--A

Cal. No. 79

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. MARCELLINO, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law, in relation to the enforcement of the suspension of pupils from school

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. This act shall be known and may be cited as the
2 "Faculty/Student Safety Act."
3 S 2. Paragraph c of subdivision 3 of section 3214 of the education law
4 is amended by adding a new subparagraph 3 to read as follows:
5 (3) WHERE A PUPIL HAS BEEN SUSPENDED, AFTER A HEARING, BY A SUPER-
6 INTENDENT OF SCHOOLS, DISTRICT SUPERINTENDENT OF SCHOOLS, OR COMMUNITY
7 SUPERINTENDENT OF SCHOOLS, PURSUANT TO SUBPARAGRAPH ONE OF THIS SUBDIVI-
8 SION, FOR A PERIOD THAT IS EQUAL TO OR EXCEEDS THE PERIOD OF TIME
9 REMAINING IN THE CURRENT SCHOOL YEAR, AND SUCH STUDENT SEEKS ENROLLMENT
10 IN A RECEIVING SCHOOL, THE BOARD OF EDUCATION, BOARD OF TRUSTEES OR SOLE
11 TRUSTEE, SUPERINTENDENT OF SCHOOLS, DISTRICT SUPERINTENDENT OF SCHOOLS
12 OR THE PRINCIPAL OF SUCH RECEIVING SCHOOL SHALL HAVE THE POWER TO
13 CONTINUE OR DISCONTINUE SUCH SUSPENSION IF THE SUSPENSION WAS THE RESULT
14 OF THE PUPIL BEING PHYSICALLY VIOLENT, A SEXUAL ASSAULT, OR WEAPONS
15 POSSESSION OR USE ON SCHOOL GROUNDS.
16 S 3. This act shall take effect immediately.

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

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