

STATE OF NEW YORK

8023

2021-2022 Regular Sessions

IN ASSEMBLY

June 5, 2021

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

AN ACT in relation to directing the commissioner of education to conduct
a study on incorporated nonpublic schools in the state; and to amend
the education law, in relation to nonpublic school compliance with
instruction requirements

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

1 Section 1. The commissioner of education shall conduct a study on all
2 incorporated nonpublic schools in the state that are currently operat-
3 ing, or which have applied for incorporation and which have not yet been
4 approved, including nonpublic schools incorporated through filings with
5 a county in the state, with the department of state, or with the state
6 education department. Such study shall include, but not be limited to:
7 (i) the number of nonpublic schools incorporated in the state;
8 (ii) the name of each nonpublic school;
9 (iii) whether the nonpublic school is incorporated as a religious,
10 independent non-profit, or independent for-profit school;
11 (iv) the total enrollment of each nonpublic school;
12 (v) the grade levels offered at each nonpublic school;
13 (vi) the address of each nonpublic school;
14 (vii) the name of the school district in which the nonpublic school is
15 located;
16 (viii) the basic educational data code of the nonpublic school, if
17 available; and
18 (ix) whether the nonpublic school is currently registered with the
19 state education department.
20 Within eighteen months of the effective date of this act, the commis-
21 sioner of education shall deliver a report of the findings of such study
22 to the governor, the temporary president of the senate, the speaker of

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

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1 the assembly, the minority leader of the senate and the minority leader
2 of the assembly.

3 § 2. Section 3204 of the education law is amended by adding a new
4 subdivision 6 to read as follows:

5 6. Notwithstanding any law, rule, or regulation to the contrary, the
6 commissioner shall recognize and approve accreditation agencies for the
7 purpose of fulfilling the requirements of subdivision two of this
8 section. A nonpublic elementary or high school that is accredited or is
9 in provisional status by an accreditation agency, which shall have the
10 authority to approve such schools, based on the standards established by
11 that agency, shall be deemed to be in full compliance with the require-
12 ments of this section. The commissioner may at any time revoke his or
13 her approval of an accreditation agency for cause.

14 § 3. This act shall take effect immediately.