

STATE OF NEW YORK

8055

2021-2022 Regular Sessions

IN ASSEMBLY

June 11, 2021

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

AN ACT to amend the military law and the education law, in relation to the identification of military connected youth

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

1 Section 1. The military law is amended by adding a new section 19-b to
2 read as follows:

3 § 19-b. Military education coordinator. The trustees or board of
4 education of every school district with twenty or more enrolled students
5 who are military connected youth as defined in this chapter shall incor-
6 porate into the policies of the district specific procedures that
7 outline actions to take in support of students who are the children of
8 military families who transition to and from the school district, and
9 designate a military education coordinator to serve as the primary point
10 of contact for each child of a military family and his or her parent or
11 legal guardian, who shall have specialized knowledge regarding the
12 educational needs of children of military families and the obstacles
13 that children of military families face in obtaining an education. The
14 adjutant general shall supply relevant resources for the orientation and
15 training of public school military education coordinators under this
16 section.

17 § 2. The military law is amended by adding a new article 14 to read as
18 follows:

ARTICLE XIV

CHILDREN OF MILITARY FAMILIES

Section 400. Definitions.

22 401. Military connected youth.

23 402. Equal rights and educational opportunity.

24 403. Military children of a parent serving in a reserve compo-
25 nent or the militia of the state.

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

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1 § 400. Definitions. As used in this article, the term "military
2 connected youth" shall mean (a) a military-connected student as defined
3 in the Every Student Succeeds Act of 2015, 20 U.S.C.A. § 1005; or (b) a
4 person under the age of eighteen, having an immediate family member,
5 including a parent, step-parent, sibling or any other person residing in
6 the same household, who is on active duty in; serving in the reserve
7 component; serving in organized militia of the state; or recently
8 retired from the (i) United States Army; (ii) United States Air Force;
9 (iii) United States Marine Corps; (iv) United States Navy; (v) United
10 States Space Force; (vi) National Guard; (vii) United States Coast
11 Guard; (viii) National Oceanic and Atmospheric Administration; or (ix)
12 United States Public Health Service.

13 § 401. Military connected youth. The adjutant general or his or her
14 designee shall, in consultation with the compact commissioner of the
15 Interstate Compact on Educational Opportunity for Military Children
16 adopted under article sixty-six of the education law, and the board of
17 regents, develop a process for school districts and charter schools to
18 annually identify enrolled students who are military connected youth.
19 The identification of a military connected youth shall not be considered
20 a public record and shall not be made public by any person, except as
21 permitted under the provisions of the Family Educational Rights and
22 Privacy Act of 1974, 20 U.S.C. § 1232g. et seq. The board of regents may
23 promulgate rules and regulations to effectuate the purposes of this
24 section.

25 § 402. Equal rights and educational opportunity. Notwithstanding any
26 other provision of law, military connected youth shall have equitable
27 access to academic courses and programs and to extracurricular academic,
28 athletic, and social programs.

29 § 403. Military children of a parent serving in a reserve component or
30 the militia of the state. In consultation with the Adjutant General and
31 the compact commissioner of the Interstate Compact on Educational Oppor-
32 tunity for Military Children adopted under article sixty-six of the
33 education law, the board of regents may from time to time promulgate
34 such rules and regulations as may be needed to extend benefits and
35 provisions similar to those set forth for military-connected students as
36 defined in the Every Student Succeeds Act of 2015 by the Interstate
37 Compact on Educational Opportunity for Military Children, to all mili-
38 tary connected youth, in order to remove barriers to educational success
39 that may be experienced by children of military families due to frequent
40 moves and deployment of their parents, by such means including, but not
41 limited to:

42 1. Facilitating the timely enrollment of military connected youth and
43 ensuring they are not placed at a disadvantage due to difficulty in the
44 transfer of education records from a previous public school, including a
45 public school in another state;

46 2. Facilitating the student placement process so military connected
47 youth are not disadvantaged by variations in attendance requirements,
48 scheduling, lesson sequencing, grading, course content, and assessment;

49 3. Facilitating the qualification and eligibility for enrollment,
50 educational programs, and participation in extracurricular activities by
51 military connected youth;

52 4. Facilitating the on-time graduation of military connected youth;

53 5. Providing for the uniform collection and sharing of information
54 regarding military connected youth between and among public school
55 districts; and

1 6. Promoting flexibility and cooperation between the educational
2 system, parents and legal guardians, and students in order to achieve
3 educational success for military connected youth.

4 § 3. The education law is amended by adding a new section 3245 to read
5 as follows:

6 § 3245. Military student census. The trustees or board of education of
7 every school district shall determine whether a student's parent is a
8 member of:

9 (A) the armed forces of the United States who is on active duty;

10 (B) the reserve component of a branch of the armed forces of the
11 United States; or

12 (C) the national guard.

13 § 4. This act shall take effect immediately and shall apply to the
14 2023--2024 school year and all school years commencing thereafter.