

STATE OF NEW YORK

2385

2025-2026 Regular Sessions

IN ASSEMBLY

January 16, 2025

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

AN ACT to amend the education law, in relation to the provision of certain services to students in nonpublic schools in certain school districts

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

1 Section 1. Section 305 of the education law is amended by adding a new
2 subdivision 63 to read as follows:

3 63. Notwithstanding any law, rule or regulation to the contrary, for
4 any school district that has twenty-five percent or greater of students
5 living in the district who attend a nonpublic school, such school
6 district shall provide no services to pupils attending a nonpublic
7 school pursuant to sections seven hundred one, seven hundred eleven,
8 seven hundred twelve, seven hundred fifty-one, nine hundred twelve,
9 thirty-six hundred two-c and thirty-six hundred thirty-five of this
10 chapter. Students attending a nonpublic school within such districts
11 shall be provided by the nonpublic school with the same services that
12 are made available to students attending the public school of where such
13 nonpublic school is located pursuant to sections seven hundred one,
14 seven hundred eleven, seven hundred twelve, seven hundred fifty-one,
15 nine hundred twelve, thirty-six hundred two-c and thirty-six hundred
16 thirty-five of this chapter. Prior to services being provided by a
17 nonpublic school, nonpublic schools will be required to submit certifi-
18 fications in a system developed by the commissioner of the services
19 provided electronically or in any other media form which the commission-
20 er reasonably determines offers the same degree of accountability and
21 control provided by paper certifications. The commissioner shall have
22 the power to review and seek correction of any service provided by
23 nonpublic schools. All costs pertaining to such services provided by

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

LBD01088-01-5

1 nonpublic schools shall be approved by the commissioner and shall be
2 borne by the state.
3 § 2. This act shall take effect immediately and shall apply to school
4 years commencing on and after the first of July next succeeding such
5 effective date.