

# STATE OF NEW YORK

4854

2025-2026 Regular Sessions

## IN ASSEMBLY

February 6, 2025

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

AN ACT to amend the education law, in relation to restrictions on authority for the withholding of public monies from educational institutions

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

1 Section 1. Section 306 of the education law, subdivision 1 as amended  
2 by chapter 298 of the laws of 1957, is amended to read as follows:

3 § 306. Removal of school officers; withholding public money. 1. When-  
4 ever it shall be proved to [~~his~~] the commissioner's satisfaction that  
5 any trustee, member of a board of education, clerk, collector, treasur-  
6 er, district superintendent, superintendent of schools or other school  
7 officer is a member of an organization listed as subversive by the board  
8 of regents pursuant to the provisions of section three thousand twenty-  
9 two of this chapter, or has been guilty of any wilful violation or  
10 neglect of duty under this chapter, or any other act pertaining to  
11 common schools or other educational institution participating in state  
12 funds, or wilfully disobeying any decision, order, rule or regulation of  
13 the regents or of the commissioner [~~of education~~], [~~said~~] such commis-  
14 sioner, after a hearing at which the school officer shall have the right  
15 of representation by counsel, may, by an order under [~~his~~] their hand  
16 and seal, which order shall be recorded in [~~his~~] their office, remove  
17 such school officer from [~~his~~] office.

18 2. [~~Said~~] Such commissioner [~~of education~~] may also withhold from any  
19 district or city its share of the public money of the state for wilfully  
20 disobeying any provision of law [~~or any decision, order or regulation as~~  
21 ~~aforesaid~~], or for such decisions, orders or regulations as aforesaid  
22 whose willful violation constitutes an immediate threat to the health,  
23 safety, education or welfare of students, employees or visitors at such  
24 common school, educational institution, school district or public  
25 school.

26 § 2. 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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