

STATE OF NEW YORK

288

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. RHOADS, OBERACKER, PALUMBO, WEIK -- read twice and ordered printed, and when printed to be committed 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 ~~aforsaid~~], or for such decisions, orders or regulations as aforsaid
22 whose willful violation constitutes an immediate threat to the health,

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

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1 safety, education or welfare of students, employees or visitors at such
2 common school, educational institution, school district or public
3 school.

4 § 2. This act shall take effect immediately.