S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N S E N A T E

February 25, 2009

Introduced by Sens. PADAVAN, LARKIN, MAZIARZ, MORAHAN -- 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 permitting parents or guardians of twins or higher order multiples to request placement of such children in the same classroom or separate classrooms

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 3210-a to read as follows:

S 3210-A. CLASSROOM PLACEMENT OF TWINS OR HIGHER ORDER MULTIPLES. 1. A PARENT OR GUARDIAN OF TWINS OR HIGHER ORDER MULTIPLES MAY REQUEST THAT THE CHILDREN BE PLACED IN THE SAME CLASSROOM OR IN SEPARATE CLASSROOMS IF THE CHILDREN ARE IN THE SAME GRADE LEVEL AT THE SAME SCHOOL. THE SCHOOL MAY RECOMMEND CLASSROOM PLACEMENT TO THE PARENTS AND PROVIDE PROFESSIONAL EDUCATION ADVICE TO THE PARENTS TO ASSIST THEM IN MAKING THE BEST DECISION FOR THEIR CHILDREN'S EDUCATION. A SCHOOL MUST PROVIDE THE PLACEMENT REQUESTED BY THE CHILDREN'S PARENT OR GUARDIAN, UNLESS THE SCHOOL BOARD MAKES A CLASSROOM PLACEMENT DETERMINATION FOLLOWING THE SCHOOL PRINCIPAL'S REQUEST ACCORDING TO THIS SECTION. THE PARENT OR GUARDIAN MUST REQUEST THE CLASSROOM PLACEMENT NO LATER THAN FOURTEEN DAYS AFTER THE FIRST DAY OF EACH SCHOOL YEAR OR FOURTEEN DAYS AFTER THE FIRST DAY OF ATTENDANCE OF THE CHILDREN DURING A SCHOOL YEAR IF THE CHILDREN ARE ENROLLED IN THE SCHOOL AFTER THE SCHOOL YEAR COMMENCES.

2. AT THE END OF THE INITIAL GRADING PERIOD, IF THE SCHOOL PRINCIPAL, IN CONSULTATION WITH THE CHILDREN'S CLASSROOM TEACHER, DETERMINES THAT THE REQUESTED CLASSROOM PLACEMENT IS DISRUPTIVE TO THE SCHOOL, THE SCHOOL PRINCIPAL MAY REQUEST THAT THE SCHOOL BOARD DETERMINE THE CHILDREN'S CLASSROOM PLACEMENT.

3. FOR PURPOSES OF THIS SECTION, "HIGHER ORDER MULTIPLES" MEANS TRIPLETS, QUADRUPLETS, QUINTUPLETS, OR MORE.

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

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S 2. This act shall take effect immediately; provided, however, that the commissioner of education has ninety days from the date on which it shall have become a law to add, amend and/or repeal any rules or regulations necessary for the implementation of this act.