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

1866

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

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

AN ACT to amend the education law, in relation to directing school districts and boards of cooperative educational services to prohibit students from leaving the school property during the school day

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

Section 1. Paragraphs l and m of subdivision 2 of section 2801 of the education law, as added by chapter 181 of the laws of 2000, are amended and a new paragraph n is added to read as follows:

l. a minimum suspension period, for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case by case basis to be consistent with any other state and federal law. For purposes of this section, the definition of "repeatedly are substantially disruptive" shall be determined in accordance with the regulations of the commissioner; [and]

m. a minimum suspension period for acts that would qualify the pupil to be defined as a violent pupil pursuant to paragraph a of subdivision two-a of section thirty-two hundred fourteen of this chapter, provided that the suspending authority may reduce such period on a case by case basis to be consistent with any other state and federal law[.]; AND

N. PROVISIONS SETTING FORTH SPECIFIC CIRCUMSTANCES UNDER WHICH STUDENTS ARE LIMITED OR PROHIBITED FROM LEAVING SCHOOL PROPERTY DURING THE SCHOOL DAY INCLUDING LUNCH AND OTHER FREE PERIODS. PROVIDED, HOWEVER, THAT THE BOARD OF EDUCATION MAY REQUIRE, UNDER CIRCUMSTANCES IT DEEMS APPROPRIATE, AUTHORIZATION FROM A PARENT OR THE PERSON IN PARENTAL RELATION TO THE STUDENT PRIOR TO A STUDENT BEING PERMITTED TO LEAVE SCHOOL PROPERTY DURING THE SCHOOL DAY.

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

LBD01400-01-9

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.