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

3463

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. PERRY -- Multi-Sponsored by -- M. of A. CLARK, MENG, TOWNS -- read once and referred to the Committee on Education

AN ACT creating a task force on school discipline to review issues related to suspension as a disciplinary tool, making an appropriation therefor and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative findings. The legislature finds that the use of suspensions is a common tool to discipline students; however, the removal of students from the school environment may be counterproductive in many instances. Suspensions may cause students to fall behind in their classes and as a result further behavioral problems may arise. Removing students from the classroom deters the student and his or her problems for a short period of time, however, the actual behavioral problem may not be addressed by suspension, and thus suspension may have little impact on the actual problem, and alternative approaches may be more effective. Proposals to ease regulations governing the suspension of students may result in greater use of suspensions as a disciplinary tool. The impact and effectiveness of suspensions along with alternative methods demands greater scrutiny.

S 2. Task force on school suspension. The commissioner of education is hereby directed to create a task force on school suspension. Such task force shall examine, evaluate and make recommendations on the use and impact of suspensions on elementary and secondary school students as a disciplinary tool and shall determine the most common behaviors for which students are suspended, the effect of such suspensions on the student's learning, academic progress and future behavior; and the effect of such suspension on the classroom from which such student was removed.

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

LBD01889-01-9

S 3. Methodology. The task force shall obtain information from students and/or school districts from urban, suburban and rural areas. The task force may employ quantitative and/or qualitative research methods, including but not limited to reviewing past and present policies regarding student suspensions; interviewing teachers, students, parents, administrators and other appropriate individuals; reviewing literature pertinent to suspension and its effects on students, teachers, administrators, and parents. The task force shall protect the confidentiality of all information. Neither the task force nor the education department shall be authorized or required to release personally identifiable information.

S 4. Public hearings. By April 1, 2011, the task force shall conduct a minimum of four public hearings in areas representative of the geographic diversity of the state and shall solicit information from students, parents, teachers, administrators, school support staff, community-based organizations, local probation departments and individuals who possess specialized knowledge in educational policy and behavior.

S 5. Composition. The task force shall consist of 15 members and shall be chaired by the commissioner of education or his designee. Five members shall be appointed by the commissioner of education; two members shall be appointed upon the recommendation of the chancellor of the city school district of New York; three members shall be appointed upon the recommendation of the governor; two members shall be appointed upon the recommendation of the speaker of the assembly; and two members shall be appointed upon the recommendation of the temporary president of the senate. The commissioner of education shall ensure that the task force includes parents, teachers, administrators, and other appropriate individuals. The commissioner of education shall also ensure that the composition of the task force is representative of the diversity of public school children in the state. The commissioner of education may invite appropriate ad hoc representatives from other state and/or local agencies to serve on the task force. Vacancies on the task force shall be filled in the manner provided for original appointments.

S 6. The task force shall report its findings, conclusions and recommendations to the governor, temporary president of the senate and the speaker of the assembly by June 1, 2011, which findings shall include information related to the effectiveness of suspensions and alternative disciplinary measures, the most common behaviors for which students are suspended, the effect of such suspensions on the student's learning, academic progress and future behavior, and the effect of such suspension on the classroom from which such student was removed.

S 7. The sum of twenty-five thousand dollars ($25,000), or so much thereof as may be necessary, is hereby appropriated to the department of education from any moneys in the state treasury in the general fund to the credit of the state purposes account not otherwise appropriated, for its expenses in carrying out the provisions of this act.

S 8. This act shall take effect immediately and shall remain in full force and effect until June 1, 2011 when upon such date the provisions of this act shall expire and be deemed repealed.