

3735

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 28, 2009

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Introduced by M. of A. GIANARIS, LANCMAN, GALEF -- Multi-Sponsored by --  
M. of A. HYER-SPENCER, PEOPLES, PHEFFER -- 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 campus in a motor vehicle during the  
lunch period

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

1     Section 1. Paragraphs l and m of subdivision 2 of section 2801 of the  
2     education law, as added by chapter 181 of the laws of 2000, are amended  
3     and a new paragraph n is added to read as follows:  
4     l. a minimum suspension period, for students who repeatedly are  
5     substantially disruptive of the educational process or substantially  
6     interfere with the teacher's authority over the classroom, provided that  
7     the suspending authority may reduce such period on a case by case basis  
8     to be consistent with any other state and federal law. For purposes of  
9     this section, the definition of "repeatedly are substantially disrupt-  
10    tive" shall be determined in accordance with the regulations of the  
11    commissioner; [and]  
12    m. a minimum suspension period for acts that would qualify the pupil  
13    to be defined as a violent pupil pursuant to paragraph a of subdivision  
14    two-a of section thirty-two hundred fourteen of this chapter, provided  
15    that the suspending authority may reduce such period on a case by case  
16    basis to be consistent with any other state and federal law[.]; AND  
17    N. PROVISIONS PROHIBITING ANY STUDENT FROM LEAVING THE SCHOOL PROPERTY  
18    IN A MOTOR VEHICLE, INCLUDING A SNOWMOBILE AND AN ALL-TERRAIN VEHICLE,  
19    DURING SUCH STUDENT'S LUNCH PERIOD. SUCH PROVISIONS SHALL NOT APPLY TO  
20    ANY STUDENT WHO LEAVES SCHOOL PROPERTY FOR A SCHOOL FUNCTION, ILLNESS,  
21    INJURY OR UPON REQUEST OF THE PERSON IN PARENTAL RELATION TO THE  
22    STUDENT, PROVIDED THAT SUCH A REQUEST SHALL NOT INCLUDE A PARENTAL

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

LBD05056-01-9

1 CONSENT FOR A STUDENT TO LEAVE SCHOOL PROPERTY DURING THE LUNCH PERIOD  
2 SOLELY FOR THE PURPOSE OF LEAVING SUCH PROPERTY DURING SUCH PERIOD.  
3 S 2. This act shall take effect on the first of July next succeeding  
4 the date on which it shall have become a law.