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

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2009-2010 Regular Sessions

I N  A S S E M B L Y

February 13, 2009

Introduced by M. of A. TITUS, N. RIVERA, WRIGHT, PHEFFER, AUBRY, ROBINSON, CLARK, LAVINE, PEOPLES, BOYLAND, BENEDETTO, JACOBS, MAGNARELLI, ESPAILLAT, DIAZ, JAFFEE, PERALTA -- Multi-Sponsored by -- M. of A. BRADLEY, CAHILL, CHRISTENSEN, COLTON, EDDINGTON, FARRELL, GREENE, JOHN, V. LOPEZ, MAYERSOHN, McENENY, MILLMAN, NOLAN, O'DONNELL, PERRY, J. RIVERA, WEISENBERG, ZEBROWSKI -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to a prenatal care initiative

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

Section 1. Section 3641 of the education law is amended by adding a new subdivision 2-a to read as follows:

2-A. PRENATAL CARE INITIATIVE. A. THE COMMISSIONER SHALL, UPON APPLICATION THEREFORE AND WITHIN AMOUNTS APPROPRIATED FOR SUCH PURPOSE, PROVIDE GRANTS TO SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES WHICH ARE DESIGNED WITH THE INTENT OF IMPLEMENTING PROCEDURES BY WHICH SCHOOL PERSONNEL MAY ASSIST PREGNANT STUDENTS IN PLANNING FOR THEIR CONTINUED EDUCATION DURING AND AFTER THEIR PREGNANCY.

B. SUCH SCHOOL DISTRICTS AND BOARDS OF COOPERATIVE EDUCATIONAL SERVICES SHALL DESIGNATE A FACULTY MEMBER WHO SHALL SERVE AS A SUPPORT PERSON RESPONSIBLE FOR DISSEMINATION OF ENTITLEMENT INFORMATION AND FOR THE REFERRAL MECHANISM FOR STUDENTS IN NEED OF PRENATAL HEALTH CARE AND RELATED SERVICES. SUCH DESIGNATED FACULTY MEMBER SHALL, AS MUCH AS LEGALLY AND REASONABLY POSSIBLE, INVOLVE THE PARENT OR GUARDIAN OF THE PREGNANT STUDENT IN THE PRENATAL HEALTH CARE CHOICES AVAILABLE TO SUCH STUDENT. PARENTAL OR GUARDIAN INVOLVEMENT SHOULD BE SOUGHT TO THE EXTENT POSSIBLE WITHOUT UNDULY DELAYING THE STUDENT'S RECEIPT OF NECESSARY HEALTH CARE AND RELATED SERVICES. ALL SUCH SERVICES SHALL BE COORDINATED TO THE MAXIMUM EXTENT FEASIBLE WITH SERVICES AVAILABLE IN OTHER STATE, LOCAL AND FEDERALLY FUNDED PROGRAMS.

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

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C. EDUCATIONAL CHOICES SHOULD ALSO BE PRESENTED TO THE PREGNANT STUDENT. STUDENTS SHOULD BE INFORMED OF THEIR OPTION TO REMAIN IN THEIR PRESENT SCHOOL, TRANSFER TO ANOTHER HIGH SCHOOL OR PROGRAM OR TO RECEIVE HOME INSTRUCTION.

D. PREGNANT STUDENTS OF COMPULSORY SCHOOL AGE SHALL BE REQUIRED TO CONTINUE TO ATTEND SCHOOL UNLESS MEDICAL REASONS INDICATE THE CONTRARY. IF THERE IS AN UNEXCUSED ABSENCE, REGULAR ATTENDANCE PROCEDURES SHOULD BE FOLLOWED.

E. THE PREGNANT STUDENT AND HER PARENT OR GUARDIAN SHOULD BE PROVIDED WITH INFORMATION WHICH WOULD ENABLE SUCH STUDENT TO SEEK THE SERVICES NEEDED TO ASSIST IN THE CONTINUATION OF SUCH STUDENT'S EDUCATION.

F. EACH SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL COMPILE MONTHLY REPORTS ON THE PROGRESS OF PREGNANT STUDENTS COVERED BY THE PROVISIONS OF THIS SUBDIVISION.

S 2. This act shall take effect immediately.