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

7322

I N S E N A T E

March 29, 2010

Introduced by Sen. PERALTA -- 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 the providing of school social work and school psychologists' services, and the employment of attendance teachers in public schools

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 3204-a to read as follows:

S 3204-A. SCHOOL SOCIAL WORK AND PSYCHOLOGISTS' SERVICES. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL SCHOOL DISTRICTS SHALL PROVIDE SCHOOL SOCIAL WORK SERVICES IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSIONER. ANY PERSON EMPLOYED BY A SCHOOL DISTRICT TO PROVIDE SUCH SERVICES SHALL BE DULY CERTIFIED AS A SCHOOL SOCIAL WORKER IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSIONER.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL SCHOOL DISTRICTS SHALL PROVIDE THE SERVICES OF A SCHOOL PSYCHOLOGIST IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSIONER. ANY PERSON EMPLOYED BY A SCHOOL DISTRICT TO PROVIDE SUCH SERVICES SHALL BE DULY CERTIFIED AS A SCHOOL PSYCHOLOGIST IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSIONER.

S 2. Section 3213 of the education law is amended by adding a new subdivision 3 to read as follows:

3. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE MINIMUM NUMBER OF CERTIFIED ATTENDANCE TEACHERS WHICH SHALL BE EMPLOYED BY EACH SCHOOL DISTRICT SHALL BE BASED ON THE NUMBER OF STUDENTS WHO RESIDE IN SUCH DISTRICT AND SHALL BE IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSIONER. IN PRESCRIBING SUCH REGULATIONS, THE COMMISSIONER SHALL SET SUCH NUMERICAL RATIOS OF ATTENDANCE TEACHERS TO STUDENTS AS HE OR SHE DEEMS NECESSARY TO CONFORM TO COMMONLY ACCEPTED PROFESSIONAL STANDARDS. ANY PERSON NEWLY EMPLOYED BY A SCHOOL DISTRICT AS AN ATTENDANCE TEACHER SHALL BE DULY CERTIFIED AS AN ATTENDANCE TEACHER IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE COMMISSIONER.

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

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S 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law, except that any rules and regulations necessary for the timely implementation of this act on its effective date shall be promulgated on or before such date.