

5813

2011-2012 Regular Sessions

I N S E N A T E

June 17, 2011

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to health and welfare
services to all children

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

1 Section 1. Section 912 of the education law, as amended by chapter 477
2 of the laws of 2004, is amended to read as follows:
3 S 912. Health and welfare services to all children. The voters and/or
4 trustees or board of education of every school district shall, upon
5 request of the authorities of a school other than public, provide resi-
6 dent children who attend such school with any or all of the health and
7 welfare services and facilities which are made available by such voters
8 and/or trustees or board of education to or for children attending the
9 public schools of the district. Such services may include, but are not
10 limited to all services performed by a physician, physician assistant,
11 dentist, dental hygienist, registered professional nurse, nurse practi-
12 tioner, school psychologist, school social worker or school speech ther-
13 apist, and may also include dental prophylaxis, vision and hearing
14 screening examinations, the taking of medical histories and the adminis-
15 tration of health screening tests, the maintenance of cumulative health
16 records and the administration of emergency care programs for ill or
17 injured students. Any such services or facilities shall be so provided
18 notwithstanding any provision of any charter or other provision of law
19 inconsistent herewith. Where children residing in one school district
20 attend a school other than public located in another school district,
21 the school authorities of the district of residence shall contract with
22 the school authorities of the district where such nonpublic school is
23 located, for the provision of such health and welfare services and
24 facilities to such children by the school district where such nonpublic
25 school is located, for a consideration to be agreed upon between the

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

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1 school authorities of such districts, subject to the approval of the
2 qualified voters of the district of residence when required under the
3 provisions of this chapter. Every such contract shall be in writing and
4 in the form prescribed by the commissioner, and before such contract is
5 executed the same shall be submitted for approval to the superintendent
6 of schools having jurisdiction over such district of residence and such
7 contract shall not become effective until approved by such superinten-
8 dent. FOR PURPOSES OF THIS SECTION, IN THE CASE OF A NON-PUBLIC SCHOOL
9 IN WHICH A MAJORITY OF THE STUDENTS OF SUCH SCHOOL RESIDE IN A SINGLE
10 SCHOOL DISTRICT OTHER THAN THE ONE IN WHICH THE SCHOOL IS LOCATED, THEN
11 SUCH DISTRICT IN WHICH A MAJORITY OF NON-PUBLIC SCHOOL STUDENTS RESIDE
12 SHALL PROVIDE SERVICES TO ALL NON-PUBLIC SCHOOL STUDENTS IN THE SCHOOL
13 AS IF THEY ATTEND SCHOOL WITHIN SUCH DISTRICT, AND SHALL CONTRACT WITH
14 OTHER SCHOOL DISTRICTS, INCLUDING THE SCHOOL DISTRICT IN WHICH SUCH
15 SCHOOL IS LOCATED, AS IF THE STUDENTS ATTEND SCHOOL WITHIN THE DISTRICT
16 IN WHICH A MAJORITY OF NON-PUBLIC SCHOOL STUDENTS RESIDE.
17 S 2. This act shall take effect immediately.