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I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. CASTRO -- Multi-Sponsored by -- M. of A. LOSQUA-
DRO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to authorizing religious
meetings and worship in school buildings and school sites

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

1 Section 1. The opening paragraph and paragraph (c) of subdivision 1 of
2 section 414 of the education law, the opening paragraph as amended by
3 chapter 369 of the laws of 1977 and paragraph (c) as amended by chapter
4 345 of the laws of 2009, are amended to read as follows:
5 Schoolhouses and the grounds connected therewith and all property
6 belonging to the district shall be in the custody and under the control
7 and supervision of the trustees or board of education of the district.
8 The trustees or board of education, OR IN THE CITY OF NEW YORK THE
9 COMMUNITY SCHOOL BOARD, may adopt reasonable regulations for the use of
10 such schoolhouses, grounds or other property, all portions thereof, when
11 not in use for school purposes or when the school is in use for school
12 purposes if in the opinion of the trustees or board of education use
13 will not be disruptive of normal school operations, for such other
14 public purposes as are herein provided[; except, however, in the city of
15 New York each community school board shall be authorized to prohibit any
16 use of schoolhouses and school grounds within its district which would
17 otherwise be permitted under the provisions of this section]. Such regu-
18 lations shall provide for the safety and security of the pupils and
19 shall not conflict with the provisions of this chapter and shall conform
20 to the purposes and intent of this section and shall be subject to
21 review on appeal to the commissioner of education as provided by law.
22 The trustees or board of education of each district may, subject to
23 regulations adopted as above provided, permit the use of the schoolhouse
24 and rooms therein, and the grounds and other property of the district,
25 when not in use for school purposes or when the school is in use for
26 school purposes if in the opinion of the trustees or board of education

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

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1 use will not be disruptive of normal school operations, for any of the
2 following purposes:

3 (c) For holding social, civic, RELIGIOUS and recreational meetings and
4 entertainments, and other uses pertaining to the welfare of the communi-
5 ty; but such meetings, entertainment and uses shall be non-exclusive and
6 shall be open to the general public. Civic meetings shall include, but
7 not be limited to, meetings of parent associations and parent-teacher
8 associations. RELIGIOUS MEETINGS SHALL INCLUDE, BUT NOT BE LIMITED TO,
9 MEETINGS, SERVICES AND WORSHIP.

10 S 2. This act shall take effect immediately.