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

9369

I N A S S E M B L Y

February 24, 2012

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the enforcement by a receiving school of the suspension of a pupil for the remainder of the school year

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

Section 1. Paragraph c of subdivision 3 of section 3214 of the education law is amended by adding a new subparagraph 3 to read as follows:

(3) WHERE A PUPIL HAS BEEN SUSPENDED, AFTER A HEARING, BY A SUPERINTENDENT OF SCHOOLS, DISTRICT SUPERINTENDENT OF SCHOOLS, OR COMMUNITY SUPERINTENDENT OF SCHOOLS, PURSUANT TO SUBPARAGRAPH ONE OF THIS SUBDIVISION, FOR A PERIOD THAT IS EQUAL TO OR EXCEEDS THE PERIOD OF TIME REMAINING IN THE CURRENT SCHOOL YEAR, AND SUCH STUDENT SEEKS ENROLLMENT IN A RECEIVING SCHOOL, THE BOARD OF EDUCATION, BOARD OF TRUSTEES OR SOLE TRUSTEE, SUPERINTENDENT OF SCHOOLS, DISTRICT SUPERINTENDENT OF SCHOOLS OR THE PRINCIPAL OF SUCH RECEIVING SCHOOL SHALL HAVE THE POWER TO CONTINUE OR DISCONTINUE SUCH SUSPENSION ON A CASE-BY-CASE BASIS.

S 2. This act shall take effect immediately.

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

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