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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. DIAZ -- 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 providing for a voluntary chaplaincy program for the public schools

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

1 Section 1. The education law is amended by adding a new section 1502-b
2 to read as follows:
3 S 1502-B. VOLUNTARY CHAPLAINCY PROGRAM. 1. EVERY SCHOOL DISTRICT AND
4 EVERY SUPERVISORY DISTRICT SHALL ESTABLISH A VOLUNTARY CHAPLAINCY
5 PROGRAM TO SERVE PUPILS AND EMPLOYEES IN ACCORDANCE WITH THE PROVISIONS
6 OF THIS SECTION.
7 2. EACH DISTRICT SHALL COMPILE A LIST OF EXPERIENCED AND REPUTABLE
8 NON-SECTARIAN CHAPLAINS WHO ARE WILLING TO SERVE THE DISTRICT IN A
9 CHAPLAINCY CAPACITY. CHAPLAINS WHO HAVE PREVIOUSLY SERVED A MUNICIPAL,
10 STATE, OR FEDERAL GOVERNMENT AGENCY OR DEPARTMENT, OR WHO HAVE SERVED
11 THE EQUIVALENT THEREOF, WILL BE CONSIDERED REPUTABLE. CHAPLAINS SHALL
12 RECEIVE NO COMPENSATION FOR THEIR SERVICES.
13 3. THE SERVICES OF SUCH CHAPLAINS SHALL BE MADE AVAILABLE TO PUPILS
14 EIGHTEEN YEARS OF AGE OR OLDER AND TO EMPLOYEES UPON THEIR REQUEST AND
15 WITHOUT CHARGE.
16 4. (A) WITH RESPECT TO PUPILS UNDER EIGHTEEN YEARS OF AGE, REFERRALS
17 OF A PUPIL TO A CHAPLAIN SHALL NOT BE MADE WITHOUT THE CONSENT OF THE
18 PUPIL'S PARENT OR GUARDIAN. REFERRALS SHALL BE MADE WITHOUT ANY CHARGE.
19 (B) IN THE EVENT THAT PUPILS UNDER EIGHTEEN RAISE QUESTIONS OF A RELI-
20 GIOUS NATURE, OR GENERATE OTHER CAUSE TO BELIEVE THAT A CONSULTATION
21 WITH A CHAPLAIN MAY BE HELPFUL TO THE PUPIL, THE PUPIL'S TEACHER OR
22 PRINCIPAL SHALL GIVE NOTICE THEREOF TO THE PARENT OR GUARDIAN OF THE
23 PUPIL AND SHALL INFORM SUCH PARENT OR GUARDIAN OF THE AVAILABILITY OF A
24 CHAPLAIN FOR A CONSULTATION WITH THE PUPIL.

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

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1 5. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS TO IMPL-
2 MENT THE PROVISIONS OF THIS SECTION.

3 S 2. This act shall take effect on the one hundred twentieth day after
4 it shall have become a law; provided that the commissioner of education
5 is authorized to promulgate any and all rules and regulations and take
6 any other measures necessary to implement this act on its effective date
7 on or before such date.