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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 912 of the education law, as amended by chapter 477 of the laws of 2004, is amended to read as follows:

S 912. Health and welfare services to all children. The voters and/or trustees or board of education of every school district shall, upon request of the authorities of a school other than public, provide resident children who attend such school with any or all of the health and welfare services and facilities which are made available by such voters and/or trustees or board of education to or for children attending the public schools of the district. Such services may include, but are not limited to all services performed by a physician, physician assistant, dentist, dental hygienist, registered professional nurse, nurse practitioner, school psychologist, school social worker or school speech therapist, and may also include dental prophylaxis, vision and hearing screening examinations, the taking of medical histories and the administration of health screening tests, the maintenance of cumulative health records and the administration of emergency care programs for ill or injured students. Any such services or facilities shall be so provided notwithstanding any provision of any charter or other provision of law inconsistent herewith. Where children residing in one school district attend a school other than public located in another school district, the school authorities of the district of residence shall contract with the school authorities of the district where such nonpublic school is located, for the provision of such health and welfare services and facilities to such children by the school district where such nonpublic 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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school authorities of such districts, subject to the approval of the qualified voters of the district of residence when required under the provisions of this chapter. Every such contract shall be in writing and in the form prescribed by the commissioner, and before such contract is executed the same shall be submitted for approval to the superintendent of schools having jurisdiction over such district of residence and such contract shall not become effective until approved by such superintendent. FOR PURPOSES OF THIS SECTION, IN THE CASE OF A NON-PUBLIC SCHOOL IN WHICH A MAJORITY OF THE STUDENTS OF SUCH SCHOOL RESIDE IN A SINGLE SCHOOL DISTRICT OTHER THAN THE ONE IN WHICH THE SCHOOL IS LOCATED, THEN SUCH DISTRICT IN WHICH A MAJORITY OF NON-PUBLIC SCHOOL STUDENTS RESIDE SHALL PROVIDE SERVICES TO ALL NON-PUBLIC SCHOOL STUDENTS IN THE SCHOOL AS IF THEY ATTEND SCHOOL WITHIN SUCH DISTRICT, AND SHALL CONTRACT WITH OTHER SCHOOL DISTRICTS, INCLUDING THE SCHOOL DISTRICT IN WHICH SUCH SCHOOL IS LOCATED, AS IF THE STUDENTS ATTEND SCHOOL WITHIN THE DISTRICT IN WHICH A MAJORITY OF NON-PUBLIC SCHOOL STUDENTS RESIDE.

S 2. This act shall take effect immediately.