

5253--A

Cal. No. 1290

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

Introduced by Sens. FLANAGAN, DeFRANCISCO, LANZA, MARTINS, RANZENHOFER  
-- read twice and ordered printed, and when printed to be committed to  
the Committee on Education -- reported favorably from said committee  
and committed to the Committee on Finance -- reported favorably from  
said committee and committed to the Committee on Rules -- ordered to a  
third reading, amended and ordered reprinted, retaining its place in  
the order of third reading

AN ACT to amend the education law, in relation to the state office of  
religious and independent schools establishment act

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

1 Section 1. Legislative findings and intent. The legislature recognizes  
2 that religious and independent schools play a vital role in the educa-  
3 tion of children within the many communities throughout the state and  
4 that is is incumbent on the state to continue to support New York  
5 students who attend these schools. The legislature further recognizes  
6 that while religious and independent school students are included in an  
7 array of state and federal programs intended to benefit students in all  
8 schools including, but not limited to, instructional materials, school  
9 health and safety measures, academic intervention, professional develop-  
10 ment and transportation services, the administration of those programs  
11 falls most often to the public school districts in which such religious  
12 or independent schools are located or the school districts in which such  
13 religious and independent school students reside. The legislature also  
14 recognizes the substantial administrative burden placed on public school  
15 districts charged with administering services for students over whom  
16 such districts have little direct responsibility. The legislature  
17 further recognizes the inefficiencies that exist in administering  
18 programs to benefit students attending religious and independent  
19 schools. Therefore, the legislature recognizes the need to create the  
20 state office for religious and independent schools for the purpose of

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

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1 providing an efficient and cost-effective means of administering  
2 programs and services to benefit students enrolled in religious and  
3 independent schools.

4 S 2. The education law is amended by adding a new article 12-B to read  
5 as follows:

6 ARTICLE 12-B

7 STATE OFFICE OF RELIGIOUS AND INDEPENDENT SCHOOLS

8 SECTION 571. SHORT TITLE.

9 572. STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS.

10 573. RULES AND REGULATIONS.

11 S 571. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS  
12 THE "STATE OFFICE OF RELIGIOUS AND INDEPENDENT SCHOOLS ESTABLISHMENT  
13 ACT".

14 S 572. STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS. 1. THE  
15 STATE OFFICE FOR RELIGIOUS AND INDEPENDENT SCHOOLS IS HEREBY ESTABLISHED  
16 WITHIN THE DEPARTMENT TO PROVIDE AND COORDINATE SERVICES AND ADMINISTER  
17 STATE AND FEDERAL PROGRAMS AND APPROPRIATIONS AS MAY BE IDENTIFIED BY  
18 THE COMMISSIONER INTENDED FOR THE BENEFIT OF STUDENTS AND PERSONNEL IN  
19 RELIGIOUS AND INDEPENDENT SCHOOLS AND TO DISSEMINATE INFORMATION AND  
20 CARRY OUT OTHER ACTIVITIES INTENDED FOR THE BENEFIT OF STUDENTS AND  
21 PERSONNEL IN RELIGIOUS AND INDEPENDENT SCHOOLS.

22 2. THE DEPARTMENT, ON BEHALF OF THE OFFICE, SHALL HAVE THE AUTHORITY  
23 TO ACCEPT AND RECEIVE ANY GRANTS, AWARDS, APPROPRIATIONS OR OTHER FUNDS  
24 AS MAY BE MADE AVAILABLE TO CARRY OUT THE FUNCTIONS OF THE OFFICE. ALL  
25 SUCH FUNDS RECEIVED BY OR OTHERWISE MADE AVAILABLE TO THE DEPARTMENT  
26 SHALL BE HELD IN A DISTINCT ACCOUNT OR ACCOUNTS ADMINISTERED BY THE  
27 DEPARTMENT TO CARRY OUT THE FUNCTIONS OF THE OFFICE.

28 3. THE COMMISSIONER SHALL UTILIZE A PORTION OF STATE AND/OR FEDERAL  
29 FUNDS APPROPRIATED SOLELY FOR THE BENEFIT OF RELIGIOUS AND INDEPENDENT  
30 SCHOOLS FOR PERSONNEL SERVICES NECESSARY TO CARRY OUT THE FUNCTIONS OF  
31 THE OFFICE.

32 S 573. RULES AND REGULATIONS. THE COMMISSIONER MAY PROMULGATE ANY  
33 RULES OR REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ARTI-  
34 CLE.

35 S 3. This act shall take effect immediately, provided that any rules  
36 or regulations necessary for the implementation of this act shall be  
37 promulgated and take effect 180 days after such effective date.