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

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I N A S S E M B L Y

April 16, 2014

Introduced by M. of A. NOLAN, BENEDETTO, CLARK, COLTON, COOK, DINOWITZ, JAFFEE, LIFTON, MAGNARELLI, MARKEY, MILLMAN, O'DONNELL, OTIS, ROBINSON, ROSA, ROSENTHAL -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, CAMARA, GLICK, HIKIND, MOSLEY, SCHIMEL -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to safety requirements for school science laboratories and teacher training about laboratory safety

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

Section 1. The education law is amended by adding a new section 409-l to read as follows:

S 409-L. SCHOOL SCIENCE LABORATORIES. THE PRINCIPAL OR ADMINISTRATOR OF ANY SCHOOL BUILDING WITH A SCIENCE LABORATORY SHALL REPORT TO HIS OR HER SCHOOL DISTRICT BY SEPTEMBER FIRST OF EACH YEAR THAT:

1. THE SCHOOL BUILDING CLASSROOMS USED FOR LABORATORY DEMONSTRATIONS AND INSTRUCTION MEET FIRE AND SAFETY CODE REQUIREMENTS FOR SUCH ACTIVITIES;

2. THE SCHOOL HAS THE EQUIPMENT TO ASSURE THE SAFETY OF PROPERTY, STUDENTS AND TEACHERS DURING ANY LABORATORY DEMONSTRATIONS AND INSTRUCTION;

3. THE TEACHERS AND ANY TEACHING ASSISTANTS USING SCHOOL SCIENCE LABORATORIES ARE PROPERLY TRAINED AND UP TO DATE WITH SAFETY TRAINING AS REQUIRED BY SECTION THREE THOUSAND FOUR OF THIS CHAPTER; AND

4. ALL SCIENCE CLASSES WITH LABORATORY DEMONSTRATION OR INSTRUCTION SHALL INCLUDE CLASS TIME FOR STUDENTS TO LEARN ABOUT LABORATORY SAFETY BEFORE ANY SUCH DEMONSTRATION OR INSTRUCTION IS UNDERTAKEN.

S 2. Section 3004 of the education law is amended by adding two new subdivisions 7 and 8 to read as follows:

7. A. THE COMMISSIONER SHALL PRESCRIBE REGULATIONS REQUIRING THAT ALL PERSONS APPLYING ON OR AFTER SEPTEMBER SECOND, TWO THOUSAND FIFTEEN FOR A TEACHING CERTIFICATE OR LICENSE AS A SCIENCE TEACHER SHALL, IN ADDITION TO ALL THE OTHER CERTIFICATION OR LICENSING REQUIREMENTS, HAVE COMPLETED ENHANCED COURSE WORK OR TRAINING IN SCIENCE LABORATORY SAFETY.

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

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THE ENHANCED COURSE WORK OR TRAINING SHALL BE OBTAINED FROM AN INSTITUTION OR PROVIDER WHICH HAS BEEN APPROVED BY THE DEPARTMENT TO PROVIDE SUCH COURSE WORK OR TRAINING IN THE NEEDS OF SCIENCE LABORATORY SAFETY.

B. THE COMMISSIONER SHALL ASSURE THAT TEACHER PREPARATION INSTITUTIONS, IN THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN ACADEMIC YEAR, INCLUDE INSTRUCTION IN SCIENCE LABORATORY SAFETY IN ALL PROGRAMS LEADING TO CERTIFICATION AS A SCIENCE TEACHER.

8. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER IS AUTHORIZED AND EMPOWERED TO CERTIFY OR REQUIRE TRAINING OF TEACHERS, ADMINISTRATORS AND INSTRUCTORS IN THE AREA OF LABORATORY SAFETY. THE COMMISSIONER SHALL HAVE THE POWER TO PRESCRIBE THE NECESSARY REGULATIONS AND ESTABLISH SUCH PROGRAMS AND TRAINING RELATED TO LABORATORY SAFETY. SUCH PROGRAMS AND TRAINING SHALL BE OBTAINED FROM AN INSTITUTION OR PROVIDER WHICH HAS BEEN APPROVED BY THE DEPARTMENT TO PROVIDE SUCH PROGRAMS AND TRAINING, EXCEPT THAT A SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES MAY PROVIDE SUCH TRAINING AS PART OF ITS PROFESSIONAL DEVELOPMENT PROGRAM.

S 3. This act shall take effect immediately.