

1727

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. ZEBROWSKI, JAFFEE, MONTESANO, McDONOUGH --
Multi-Sponsored by -- M. of A. MOSLEY, PERRY, RIVERA, STECK -- read
once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring private
schools to provide to the commissioner of education copies of their
current certificate of occupancy and most recent fire safety report
prior to receipt of apportionment funds or a Basis Educational Data
System code

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

1 Section 1. The education law is amended by adding a new section 409-1
2 to read as follows:
3 S 409-L. NON-PUBLIC SCHOOL BUILDING REQUIREMENTS IN RELATION TO HEALTH
4 AND SAFETY. 1. PRIOR TO THE ISSUANCE OF A BASIS EDUCATIONAL DATA SYSTEM
5 (BEDS) CODE TO A NON-PUBLIC SCHOOL, THE NON-PUBLIC SCHOOL SHALL BE
6 REQUIRED TO SUBMIT TO THE COMMISSIONER, AT MINIMUM, VALID COPIES OF THE
7 FOLLOWING:
8 (A) A CERTIFICATE OF INCORPORATION OR A CHARTER ISSUED BY THE BOARD OF
9 REGENTS;
10 (B) A CURRENT CERTIFICATE OF OCCUPANCY AND USE ISSUED BY THE MUNICI-
11 PALITY WHERE THE SCHOOL BUILDINGS ARE LOCATED;
12 (C) A RECENT FIRE INSPECTION COMPLETED BY AN ELIGIBLE AUTHORITY PURSU-
13 ANT TO SUBDIVISION THREE OF SECTION EIGHT HUNDRED SEVEN-A OF THIS TITLE;
14 (D) A STATEMENT OF THE MAXIMUM CAPACITY OF THE BUILDING BEING USED FOR
15 EDUCATIONAL PURPOSES AS SET BY THE LOCAL GOVERNMENT; AND
16 (E) A LIST OF ADDITIONAL OCCUPANTS AT THE SAME ADDRESS THAT IS A
17 REGISTERED NON-PUBLIC SCHOOL.
18 2. NOTHING IN THIS SECTION SHALL LIMIT THE COMMISSIONER'S AUTHORITY TO
19 REQUIRE ADDITIONAL DOCUMENTATION FROM NON-PUBLIC SCHOOLS AS DEEMED
20 NECESSARY.

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

LBD02970-01-5

1 3. ON OR BEFORE DECEMBER THIRTY-FIRST, TWO THOUSAND FIFTEEN, ALL NON-
2 PUBLIC SCHOOLS THAT CURRENTLY HAVE A BASIS EDUCATIONAL DATA SYSTEM
3 (BEDS) CODE REGARDLESS OF WHEN IT WAS FIRST ISSUED SHALL PROVIDE THE
4 VALID COPIES OF THE ITEMS PURSUANT TO SUBDIVISION ONE OF THIS SECTION TO
5 THE DEPARTMENT. A FAILURE TO PROVIDE THESE DOCUMENTS BY DECEMBER THIR-
6 TY-FIRST, TWO THOUSAND FIFTEEN WILL RESULT IN REIMBURSEMENTS TO THE
7 NON-PUBLIC SCHOOL BEING WITHHELD AND IF NOT RECEIVED WITHIN NINETY DAYS,
8 AT THE DISCRETION OF THE COMMISSIONER, CAN RESULT IN A REVOCATION OF THE
9 SCHOOL'S BASIS EDUCATIONAL DATA SYSTEM (BEDS) CODE, PROVIDED THAT THE
10 NON-PUBLIC SCHOOL IS AFFORDED THE RIGHT TO BE HEARD BY THE COMMISSIONER.
11 S 2. This act shall take effect immediately.