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

8709

I N A S S E M B L Y

January 13, 2016

Introduced by M. of A. ROZIC, HEVESI, BLAKE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to pre-kindergarten education for homeless children

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

Section 1. Subdivision 7 of section 3209 of the education law, as added by chapter 569 of the laws of 1994, is amended to read as follows:

7. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE PROVISIONS OF THIS SECTION SHALL APPLY TO A HOMELESS CHILD IN PRE-KINDERGARTEN THROUGH TWELFTH GRADE.

8. The commissioner may promulgate regulations to carry out the purposes of this section.

S 2. Paragraphs (c) and (d) of subdivision 1 of section 3209 of the education law, as added by chapter 569 of the laws of 1994, are amended to read as follows:

c. School district of origin. The term "school district of origin" shall mean the school district within the state of New York in which the homeless child was attending a public school on a tuition-free basis, OR WAS ATTENDING A PRE-KINDERGARTEN PROGRAM, or was entitled to attend when circumstances arose which caused such child to become homeless, which is different from the school district of current location. Whenever the school district of origin is designated pursuant to subdivision two of this section, the child shall be entitled to return to the school building where previously enrolled. FOR THE PURPOSES OF THIS SECTION, THE TERMS "SCHOOL" OR "SCHOOL BUILDING" SHALL INCLUDE AN ELIGIBLE AGENCY THAT ADMINISTERS A PRE-KINDERGARTEN PROGRAM.

d. School district of current location. The term "school district of current location" shall mean the public school district within the state of New York in which the hotel, motel, shelter or other temporary housing arrangement of a homeless child, or the residential program for runaway and homeless youth, is located, which is different from the school district of origin. Whenever the school district of current location is designated pursuant to subdivision two of this section, the

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

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child shall be entitled to attend the school that is zoned for his or her temporary location or any school that nonhomeless students who live in the same attendance zone in which the homeless child or youth is temporarily residing are entitled to attend. IF THE HOMELESS CHILD IS ELIGIBLE FOR PRE-KINDERGARTEN AND THE SCHOOL DISTRICT OF CURRENT LOCATION OPERATES A PRE-KINDERGARTEN PROGRAM, THE CHILD SHALL BE ENTITLED TO ATTEND A PRE-KINDERGARTEN PROGRAM.

S 3. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.