

415

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the enforcement of the
suspension of pupils from school

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

1 Section 1. This act shall be known and may be cited as the
2 "Faculty/Student Safety Act."

3 S 2. Paragraph c of subdivision 3 of section 3214 of the education law
4 is amended by adding a new subparagraph 3 to read as follows:

5 (3) WHERE A PUPIL HAS BEEN SUSPENDED, AFTER A HEARING, BY A SUPER-
6 INTENDENT OF SCHOOLS, DISTRICT SUPERINTENDENT OF SCHOOLS, OR COMMUNITY
7 SUPERINTENDENT OF SCHOOLS, PURSUANT TO SUBPARAGRAPH ONE OF THIS SUBDIVI-
8 SION, FOR A PERIOD THAT IS EQUAL TO OR EXCEEDS THE PERIOD OF TIME
9 REMAINING IN THE CURRENT SCHOOL YEAR, AND SUCH STUDENT SEEKS ENROLLMENT
10 IN A RECEIVING SCHOOL, THE BOARD OF EDUCATION, BOARD OF TRUSTEES OR SOLE
11 TRUSTEE, SUPERINTENDENT OF SCHOOLS, DISTRICT SUPERINTENDENT OF SCHOOLS
12 OR THE PRINCIPAL OF SUCH RECEIVING SCHOOL SHALL HAVE THE POWER TO
13 CONTINUE OR DISCONTINUE SUCH SUSPENSION IF THE SUSPENSION WAS THE RESULT
14 OF THE PUPIL BEING PHYSICALLY VIOLENT, A SEXUAL ASSAULT, OR WEAPONS
15 POSSESSION OR USE ON SCHOOL GROUNDS.

16 S 3. This act shall take effect immediately.

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

LBD02355-01-5