

3761

2015-2016 Regular Sessions

I N   S E N A T E

February 17, 2015

---

Introduced by Sen. SANDERS -- 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 requiring community district education councils to establish safety hazard advisory review committees

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

1     Section 1. Section 2590-e of the education law is amended by adding a  
2     new subdivision 8-a to read as follows:  
3     8-A. (A) A COMMUNITY COUNCIL SHALL ESTABLISH FROM AMONG ITS MEMBERS A  
4     SAFETY HAZARD ADVISORY REVIEW COMMITTEE TO REVIEW CONDITIONS ALONG  
5     ROUTES IN ITS DISTRICT BY WHICH STUDENTS TRAVEL OR WALK TO AND FROM  
6     SCHOOL. THE SAFETY HAZARD ADVISORY REVIEW COMMITTEE SHALL REVIEW CONDI-  
7     TIONS ALONG STOP TO SCHOOL ROUTES IN ITS COMMUNITY COUNCIL DISTRICT UPON  
8     THE REQUEST OF A PARENT WHO HAS SUBMITTED TO THE OFFICE OF PUPIL TRANS-  
9     PORTATION A REQUEST FOR A VARIANCE FROM STOP TO SCHOOL ROUTES BASED ON  
10    HAZARDOUS OR UNSAFE CONDITIONS ALONG THE STUDENT'S ROUTE TO OR FROM  
11    SCHOOL. SUCH REQUEST SHALL BE SUBMITTED IN WRITING TO THE CHAIR OF THE  
12    COMMUNITY COUNCIL AND INCLUDE A COPY OF THE PARENT'S REQUEST TO THE  
13    OFFICE OF PUPIL TRANSPORTATION FOR A VARIANCE. THE COMMUNITY COUNCIL  
14    CHAIR SHALL CONVENE A MEETING OF THE SAFETY HAZARD ADVISORY REVIEW  
15    COMMITTEE AS NECESSARY. THE COMMITTEE SHALL MAKE FINDINGS OF FACT AND  
16    RECOMMENDATIONS ABOUT CONDITIONS ALONG THE STOP TO SCHOOL ROUTE. SUCH  
17    FINDINGS AND RECOMMENDATIONS SHALL BE SUBMITTED IN WRITING TO THE COMMU-  
18    NITY COUNCIL WHICH MAY ADOPT THE COMMITTEE'S RECOMMENDATIONS OR SEND  
19    THEM BACK TO THE COMMITTEE FOR ADDITIONAL INFORMATION. UPON ADOPTION OF  
20    THE COMMITTEE'S FINDINGS AND RECOMMENDATIONS, THE COMMUNITY COUNCIL  
21    SHALL SEND THE WRITTEN FINDINGS AND RECOMMENDATIONS TO THE PARENT AND  
22    THE OFFICE OF PUPIL TRANSPORTATION WHICH SHALL CONSIDER THE FINDINGS AND  
23    RECOMMENDATIONS FROM THE COMMUNITY COUNCIL IN ITS DECISION ABOUT A VARI-  
24    ANCE OR DESIGNATION OF STOP TO SCHOOL ROUTES.

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

LBD03587-01-5

1 (B) UPON THE REQUEST OF A MEMBER OF THE COMMUNITY COUNCIL OR AN ADMIN-  
2 ISTRATOR IN A SCHOOL IN THE COMMUNITY COUNCIL DISTRICT, THE SAFETY  
3 HAZARD ADVISORY REVIEW COMMITTEE MAY REVIEW UNSAFE AND HAZARDOUS CONDI-  
4 TIONS ALONG ROUTES BY WHICH STUDENTS IN THEIR DISTRICT TRAVEL TO AND  
5 FROM THEIR SCHOOL. SUCH REQUEST SHALL BE SUBMITTED IN WRITING TO THE  
6 CHAIR OF THE COMMUNITY COUNCIL AND SHALL INCLUDE THE LOCATION AND A  
7 DESCRIPTION OF THE CONDITIONS TO BE REVIEWED BY THE SAFETY HAZARD ADVI-  
8 SORY REVIEW COMMITTEE. THE SAFETY HAZARD ADVISORY REVIEW COMMITTEE SHALL  
9 MAKE FINDINGS OF FACT AND, IF NECESSARY, RECOMMENDATIONS ABOUT CONDI-  
10 TIONS ALONG THE STOP TO SCHOOL ROUTE. SUCH FINDINGS AND RECOMMENDATIONS  
11 SHALL BE SUBMITTED IN WRITING TO THE COMMUNITY COUNCIL WHICH MAY ADOPT  
12 THE COMMITTEE'S RECOMMENDATIONS OR SEND THEM BACK TO THE COMMITTEE FOR  
13 ADDITIONAL INFORMATION. UPON ADOPTION OF THE COMMITTEE'S FINDINGS AND  
14 RECOMMENDATIONS, THE COMMUNITY COUNCIL SHALL SEND THE WRITTEN FINDINGS  
15 AND RECOMMENDATIONS TO A MEMBER OF THE COMMUNITY COUNCIL OR SCHOOL  
16 ADMINISTRATOR WHO REQUESTED THE REVIEW AND THE OFFICE OF PUPIL TRANSPOR-  
17 TATION.

18 S 2. This act shall take effect on the first of July next succeeding  
19 the date on which it shall have become a law; provided, however that the  
20 amendments made to section 2590-e of the education law, by section one  
21 of this act shall survive the expiration and reversion of such section  
22 as provided in section 34 of chapter 91 of the laws of 2002, as amended.