

# STATE OF NEW YORK

1146--A

Cal. No. 821

2017-2018 Regular Sessions

## IN SENATE

January 6, 2017

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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 § 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 exceeds the time enrolled in the district issu-  
9 ing the suspension, and such student seeks enrollment in a receiving  
10 school, the board of education, board of trustees or sole trustee,  
11 superintendent of schools, district superintendent of schools or the  
12 principal of such receiving school shall have the power to continue or  
13 discontinue such suspension if the suspension was the result of the  
14 pupil being physically violent, a sexual assault, or weapons possession  
15 or use on school grounds. Reporting of such incident as required by  
16 VADIR (Violent and Disruptive Incident Reporting) shall be the responsi-  
17 bility of the district issuing the suspension.

18 § 3. This act shall take effect immediately.

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

LBD06006-02-7