

STATE OF NEW YORK

6597--A

2017-2018 Regular Sessions

IN SENATE

June 6, 2017

Introduced by Sens. SERINO, MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring immediate notification by law enforcement of the filing of an accusatory instrument alleging a sex offense by an employee

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 3021-a
2 to read follows:

3 § 3021-a. Notification of accusatory instrument alleging a sex
4 offense. 1. For purposes of this section:

5 (a) The term "employee" means any person receiving compensation from a
6 school district, charter school, board of cooperation educational
7 services, private elementary or secondary school, special education
8 schools, or employee of a contracted service provider or worker placed
9 within the school under a public assistance employment program pursuant
10 to title nine-B of article five of the social services law, and consist-
11 ent with the provisions of such title for the provision of services to
12 such district or school, its students or employees, directly or through
13 contract, whereby such services performed by such person involved direct
14 student contact.

15 (b) The term "sex offense" means an offense for which registration as
16 a sex offender is required pursuant to article six-C of the correction
17 law.

18 2. When an accusatory instrument has been filed alleging the commis-
19 sion of a sex offense by a person known to be an employee of a school
20 district, charter school, board of cooperative educational services,
21 private elementary or secondary school, or special education schools, it

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

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1 is the responsibility of the district attorney to immediately notify the
2 superintendent of schools or school administrator that employes such
3 employee of the accusatory instrument and the sex offense or offenses
4 alleged therein.

5 3. Nothing in this section shall be deemed to diminish the rights,
6 privileges, or remedies of any employee contained within section three
7 thousand twenty-a of this article, or under any collective bargaining
8 agreement or employment contract.

9 § 2. This act shall take effect immediately.