

STATE OF NEW YORK

8382--B

2017-2018 Regular Sessions

IN ASSEMBLY

June 12, 2017

Introduced by M. of A. GALEF, McDONALD -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

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.

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

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1 2. When an accusatory instrument has been filed alleging the commis-
2 sion of a sex offense by a person known to be an employee of a school
3 district, charter school, board of cooperative educational services,
4 private elementary or secondary school, or special education schools, it
5 is the responsibility of the district attorney to immediately notify the
6 superintendent of schools or school administrator that employs such
7 employee of the accusatory instrument and the sex offense or offenses
8 alleged therein.

9 3. Nothing in this section shall be deemed to diminish the rights,
10 privileges, or remedies of any employee contained within section three
11 thousand twenty-a of this article, or section seventy-five of the civil
12 service law, or under any collective bargaining agreement or employment
13 contract.

14 § 2. This act shall take effect immediately.