

# STATE OF NEW YORK

6343

2021-2022 Regular Sessions

## IN ASSEMBLY

March 16, 2021

Introduced by M. of A. RA -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring the commissioner of education to make recommendations on whether certain schools should implement water safety instruction into the curriculum

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

1 Section 1. Section 305 of the education law is amended by adding a new  
2 subdivision 59 to read as follows:

3 59. a. The commissioner shall make recommendations to the board of  
4 regents relating to the adoption of instruction in water safety includ-  
5 ing, but not limited to, open water safety and riptide safety in partic-  
6 ipating school districts.

7 b. Prior to making the recommendations to the board of regents, the  
8 commissioner shall:

9 (1) seek the recommendations of teachers, school administrators,  
10 course educators, and others with educational expertise in the proposed  
11 curriculum;

12 (2) seek comment from parents, students and other interested parties;

13 (3) consider the amount of instructional time such curriculum shall  
14 require and whether such time would detract from other mandated courses  
15 of study;

16 (4) consider the fiscal impact, if any, on the state and school  
17 districts; and

18 (5) consider any additional factors the commissioner deems relevant.

19 c. No later than one hundred eighty days after the effective date of  
20 this subdivision, the commissioner shall provide a recommendation to the  
21 board of regents to either adopt and promulgate appropriate rules and  
22 regulations implementing such optional curriculum or reject the imple-  
23 mentation of such optional curriculum. Upon receiving a recommendation  
24 from the commissioner, pursuant to this subdivision, the board of

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

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1 regents shall vote to either accept or reject the commissioner's recom-  
2 mendation no later than sixty days after receiving such recommendation.

3 d. If the board of regents adopts such curriculum, individual school  
4 district boards of education may choose to participate in such curric-  
5 ulum via majority vote.

6 e. If the board of regents rejects such curriculum, the commissioner  
7 shall provide a report as to the determination of the board to the  
8 governor, the temporary president of the senate, the speaker of the  
9 assembly and the chairs of the senate and assembly committees on educa-  
10 tion providing the reasons for such rejection not later than thirty days  
11 after the board of regents rejects such curriculum.

12 § 2. This act shall take effect immediately.