

# STATE OF NEW YORK

8056

2021-2022 Regular Sessions

## IN ASSEMBLY

June 11, 2021

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

AN ACT to amend the education law, in relation to the provision of certain services to students in nonpublic schools in certain school districts

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 subparagraph 59 to read as follows:

3 59. Notwithstanding any law, rule or regulation to the contrary, for  
4 any school district that has sixty-five percent or greater of students  
5 living in the district that attend a nonpublic school, such school  
6 district shall provide no services to pupils attending a nonpublic  
7 school pursuant to sections seven hundred one, seven hundred eleven,  
8 seven hundred twelve, seven hundred fifty-one, nine hundred twelve,  
9 thirty-six hundred two-c and thirty-six hundred thirty-five of this  
10 chapter. Students attending a nonpublic school within such districts  
11 shall be provided by the nonpublic school with the same services that  
12 are made available to students attending the public school of where such  
13 nonpublic school is located pursuant to sections seven hundred one,  
14 seven hundred eleven, seven hundred twelve, seven hundred fifty-one,  
15 nine hundred twelve, thirty-six hundred two-c and thirty-six hundred  
16 thirty-five of this chapter. Prior to services being provided by a  
17 nonpublic school, nonpublic schools will be required to submit certif-  
18 ications in a system developed by the commissioner of the services  
19 provided electronically or in any other media form which the commission-  
20 er reasonably determines offers the same degree of accountability and  
21 control provided by paper certifications. The commissioner will have the  
22 power to review and seek correction of any service provided by nonpublic  
23 schools. All costs pertaining to these services provided by nonpublic

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

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1 schools shall be approved by the commissioner and shall be borne by the  
2 state.

3 § 2. This act shall take effect immediately and shall apply to school  
4 years commencing on and after the first of July next succeeding such  
5 effective date.