STATE OF NEW YORK

1395--A

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law and the education law, in relation to the identification of military connected youth

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

Section 1. The military law is amended by adding a new section 19-b to read as follows:

§ 19-b. Military education coordinator. The trustees or board of education of every school district with twenty or more enrolled students who are military connected youth as defined in this chapter shall incorporate into the policies of the district specific procedures that outline actions to take in support of students who are the children of military families who transition to and from the school district, and designate a military education coordinator to serve as the primary point of contact for each child of a military family and his or her parent or legal guardian, who shall have specialized knowledge regarding the educational needs of children of military families and the obstacles that children of military families face in obtaining an education. The adjutant general shall supply relevant resources for the orientation and training of public school military education coordinators under this section.

§ 2. The military law is amended by adding a new article 14 to read as follows:

ARTICLE XIV

CHILDREN OF MILITARY FAMILIES

Section 400. Definitions.
401. Military connected youth.
402. Equal rights and educational opportunity.

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

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403. Military children of a parent serving in a reserve component or the militia of the state.

§ 400. Definitions. As used in this article, the term "military connected youth" shall mean (a) a military-connected student as defined in the Every Student Succeeds Act of 2015, 20 U.S.C.A. § 1005; or (b) a person under the age of eighteen, having an immediate family member, including a parent, step-parent, sibling or any other person residing in the same household, who is on active duty in; serving in the reserve component; serving in organized militia of the state; or recently retired from the (i) United States Army; (ii) United States Air Force; (iii) United States Marine Corps; (iv) United States Navy; (v) United States Space Force; (vi) National Guard; (vii) United States Coast Guard; (viii) National Oceanic and Atmospheric Administration; or (ix) United States Public Health Service.

§ 401. Military connected youth. The adjutant general or his or her designee shall, in consultation with the compact commissioner of the Interstate Compact on Educational Opportunity for Military Children adopted under article sixty-six of the education law, and the board of regents, develop a process for school districts and charter schools to annually identify enrolled students who are military connected youth. The identification of a military connected youth shall not be considered a public record and shall not be made public by any person, except as permitted under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g. et seq. The board of regents may promulgate rules and regulations to effectuate the purposes of this section.

§ 402. Equal rights and educational opportunity. Notwithstanding any other provision of law, military connected youth shall have equitable access to academic courses and programs and to extracurricular academic, athletic, and social programs.

§ 403. Military children of a parent serving in a reserve component or the militia of the state. In consultation with the Adjutant General and the compact commissioner of the Interstate Compact on Educational Opportunity for Military Children adopted under article sixty-six of the education law, the board of regents may from time to time promulgate such rules and regulations as may be needed to extend benefits and provisions similar to those set forth for military-connected students as defined in the Every Student Succeeds Act of 2015 by the Interstate Compact on Educational Opportunity for Military Children, to all military connected youth, in order to remove barriers to educational success that may be experienced by children of military families due to frequent moves and deployment of their parents, by such means including, but not limited to:

1. Facilitating the timely enrollment of military connected youth and ensuring they are not placed at a disadvantage due to difficulty in the transfer of education records from a previous public school, including a public school in another state;

2. Facilitating the student placement process so military connected youth are not disadvantaged by variations in attendance requirements, scheduling, lesson sequencing, grading, course content, and assessment;

3. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular activities by military connected youth;

4. Facilitating the on-time graduation of military connected youth;

5. Providing for the uniform collection and sharing of information regarding military connected youth between and among public school districts; and

6. Promoting flexibility and cooperation between the educational system, parents and legal guardians, and students in order to achieve educational success for military connected youth.

§ 3. The education law is amended by adding a new section 3245 to read as follows:

§ 3245. Military student census. The trustees or board of education of every school district shall determine whether a student's parent is a member of:

(A) the armed forces of the United States who is on active duty;

(B) the reserve component of a branch of the armed forces of the United States; or

(C) the national guard.

§ 4. This act shall take effect immediately and shall apply to the 2023--2024 school year and all school years commencing thereafter.