STATE OF NEW YORK

6529

2021-2022 Regular Sessions

IN SENATE

May 5, 2021

Introduced by Sen. STAVISKY -- (at request of the State Education Department) -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to prohibiting discrimination, intimidation and retaliation against students of proprietary schools who file a written complaint or exercise their right of private action against a proprietary school

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

Section 1. Paragraph c of subdivision 1 of section 5003 of the education law is amended by adding a new subparagraph 5 to read as follows:

(5) No owner, operator, licensed personnel, or agent thereof of a licensed private career school shall discriminate, intimidate, or retaliate against any person who files a written complaint pursuant to this paragraph.

§ 2. Subdivision 8 of section 5003 of the education law, as amended by chapter 381 of the laws of 2012, is amended to read as follows:

8. Private right of action. A student injured by a violation of this article may bring an action against the owner or operator of a licensed private career school for actual damages or one hundred dollars, whichever is greater. A court may, in its discretion, award reasonable attorney's fees to a prevailing plaintiff. **No owner, operator, licensed personnel, or agent thereof of a licensed private career school shall discriminate, intimidate, or retaliate against any student who brings a private right of action against the owner or operator of a licensed private career school pursuant to this subdivision.**

§ 3. This act shall take effect immediately.

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

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