

# STATE OF NEW YORK

32

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. GUNTHER, BRAUNSTEIN, STECK, MONTESANO -- Multi-Sponsored by -- M. of A. PERRY, J. RIVERA -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the parent's right to know of allegations of inappropriate conduct by a school district employee, volunteer or administrator

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

Section 1. The education law is amended by adding a new article 23-C to read as follows:

### ARTICLE 23-C

#### PARENT'S RIGHT TO KNOW ACT

##### Section 1135. Short title.

##### 1136. Definitions.

##### 1137. Parent's right to know.

§ 1135. Short title. This article shall be known and may be cited as the "parent's right to know act".

§ 1136. Definitions. For the purposes of this article the following terms shall have the following meanings:

1. "Employee" shall mean a school board member acting in his or her capacity as a school board member, as well as any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

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

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1     2. "Volunteer" shall mean any person, other than an employee, who  
2     provides services to a school or school district, which involve direct  
3     student contact.

4     3. "Administrator" or "school administrator" shall mean a principal,  
5     assistant principal, superintendent or assistant superintendent of a  
6     public school, charter school or board of cooperative educational  
7     services, or other chief school officer.

8     § 1137. Parent's right to know. Every public school district, or any  
9     other school which primarily serves persons under the age of eighteen  
10    and which is registered with the department shall, within sixty days of  
11    the enactment of this section, adopt a policy which shall provide for  
12    notification as soon as reasonably practicable to a parent or legal  
13    guardian of an affected student or students of inappropriate conduct by  
14    an employee, volunteer or administrator of a school district with  
15    respect to a particular student or students in the event that the super-  
16    intendent of schools, the school board, or any member of the school  
17    board acting with the authorization of such board, such authorization to  
18    have been provided during an executive session, provides a written  
19    censure, reprimand, or otherwise in writing advises an employee, volun-  
20    teer, or an administrator of the school district of such person's inap-  
21    propriate conduct with respect to a particular student or students.

22    § 2. This act shall take effect immediately; provided, however, that  
23    this act shall not impair any provision of a collective bargaining  
24    agreement in effect prior to the effective date of this act which is  
25    contradictory to the provisions of this act. Any such provisions shall  
26    expire no later than on such agreements existing expiration date.