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:

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

59. a. The commissioner shall make recommendations to the board of regents relating to the adoption of instruction in water safety including, but not limited to, open water safety and riptide safety in participating school districts.

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

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

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

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

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

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

c. No later than one hundred eighty days after the effective date of this subdivision, the commissioner shall provide a recommendation to the board of regents to either adopt and promulgate appropriate rules and regulations implementing such optional curriculum or reject the implementation of such optional curriculum. Upon receiving a recommendation 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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regents shall vote to either accept or reject the commissioner's recommendation no later than sixty days after receiving such recommendation.

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

e. If the board of regents rejects such curriculum, the commissioner shall provide a report as to the determination of the board to the governor, the temporary president of the senate, the speaker of the assembly and the chairs of the senate and assembly committees on education providing the reasons for such rejection not later than thirty days after the board of regents rejects such curriculum.

§ 2. This act shall take effect immediately.