

STATE OF NEW YORK

8023--A

2021-2022 Regular Sessions

IN ASSEMBLY

June 5, 2021

Introduced by M. of A. BENEDETTO -- read once and referred to the Committee on Education -- reported and referred to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the commissioner of education to conduct a study on incorporated nonpublic schools in the state; and to amend the education law, in relation to nonpublic school compliance with instruction requirements

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

1 Section 1. The commissioner of education may conduct a study on all
2 incorporated nonpublic schools in the state that are currently operat-
3 ing, or which have applied for incorporation and which have not yet been
4 approved, including nonpublic schools incorporated through filings with
5 a county in the state, with the department of state, or with the state
6 education department. Such study shall include, but not be limited to:
7 (i) the number of nonpublic schools incorporated in the state;
8 (ii) the name of each nonpublic school;
9 (iii) whether the nonpublic school is incorporated as a religious,
10 independent non-profit, or independent for-profit school;
11 (iv) the total enrollment of each nonpublic school;
12 (v) the grade levels offered at each nonpublic school;
13 (vi) the address of each nonpublic school;
14 (vii) the name of the school district in which the nonpublic school is
15 located;
16 (viii) the basic educational data code of the nonpublic school, if
17 available; and
18 (ix) whether the nonpublic school is currently registered with the
19 state education department.
20 Upon completion, the commissioner of education shall deliver a report
21 of the findings of such study to the governor, the temporary president

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

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1 of the senate, the speaker of the assembly, the minority leader of the
2 senate and the minority leader of the assembly.

3 § 2. Section 3204 of the education law is amended by adding a new
4 subdivision 6 to read as follows:

5 6. Notwithstanding any law, rule, or regulation to the contrary, the
6 commissioner shall recognize and approve accreditation agencies for the
7 purpose of fulfilling the requirements of subdivision two of this
8 section. A nonpublic elementary or high school that is accredited or is
9 in provisional status by an accreditation agency, which shall have the
10 authority to approve such schools, based on the standards established by
11 that agency, shall be deemed to be in full compliance with the require-
12 ments of this section. The commissioner may at any time revoke his or
13 her approval of an accreditation agency for cause.

14 § 3. This act shall take effect immediately.