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:

Section 1. The commissioner of education may conduct a study on all incorporated nonpublic schools in the state that are currently operating, or which have applied for incorporation and which have not yet been approved, including nonpublic schools incorporated through filings with a county in the state, with the department of state, or with the state education department. Such study shall include, but not be limited to:

(i) the number of nonpublic schools incorporated in the state;

(ii) the name of each nonpublic school;

(iii) whether the nonpublic school is incorporated as a religious, independent non-profit, or independent for-profit school;

(iv) the total enrollment of each nonpublic school;

(v) the grade levels offered at each nonpublic school;

(vi) the address of each nonpublic school;

(vii) the name of the school district in which the nonpublic school is located;

(viii) the basic educational data code of the nonpublic school, if available; and

(ix) whether the nonpublic school is currently registered with the state education department.

Upon completion, the commissioner of education shall deliver a report 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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of the senate, the speaker of the assembly, the minority leader of the senate and the minority leader of the assembly.

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

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

§ 3. This act shall take effect immediately.