

STATE OF NEW YORK

8637

IN SENATE

March 23, 2022

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to prohibiting discrimination of students on school property or at a school function based on religious attire

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

1 Section 1. Section 11 of the education law is amended by adding a new
2 subdivision 11 to read as follows:

3 11. "Religious attire" shall mean any attire, clothing, hairstyle,
4 facial hairstyle, or head covering worn in accordance with the require-
5 ments of an individual's religion.

6 § 2. Subdivision 1 of section 12 of the education law, as amended by
7 chapter 102 of the laws of 2012, is amended to read as follows:

8 1. No student shall be subjected to harassment or bullying by employ-
9 ees or students on school property or at a school function; nor shall
10 any student be subjected to discrimination based on a person's actual or
11 perceived race, color, weight, national origin, ethnic group, religion,
12 religious practice, religious attire, disability, sexual orientation,
13 gender, or sex by school employees or students on school property or at
14 a school function. Nothing in this subdivision shall be construed to
15 prohibit a denial of admission into, or exclusion from, a course of
16 instruction based on a person's gender that would be permissible under
17 section thirty-two hundred one-a or paragraph (a) of subdivision two of
18 section twenty-eight hundred fifty-four of this chapter and title IX of
19 the Education Amendments of 1972 (20 U.S.C. section 1681, et. seq.), or
20 to prohibit, as discrimination based on disability, actions that would
21 be permissible under section 504 of the Rehabilitation Act of 1973.

22 § 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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