

# STATE OF NEW YORK

3336

2023-2024 Regular Sessions

## IN ASSEMBLY

February 2, 2023

Introduced by M. of A. E. BROWN -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to physical therapists and occupational therapists in school districts and board of cooperative educational services

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

1 Section 1. Section 912 of the education law, as amended by chapter 477  
2 of the laws of 2004, is amended to read as follows:  
3 § 912. Health and welfare services to all children. The voters and/or  
4 trustees or board of education of every school district shall, upon  
5 request of the authorities of a school other than public, provide resi-  
6 dent children who attend such school with any or all of the health and  
7 welfare services and facilities which are made available by such voters  
8 and/or trustees or board of education to or for children attending the  
9 public schools of the district. Such services may include, but are not  
10 limited to all services performed by a physician, physician assistant,  
11 physical therapist, occupational therapist, dentist, dental hygienist,  
12 registered professional nurse, nurse practitioner, school psychologist,  
13 school social worker or school speech therapist, and may also include  
14 dental prophylaxis, vision and hearing screening examinations, the  
15 taking of medical histories and the administration of health screening  
16 tests, the maintenance of cumulative health records and the adminis-  
17 tration of emergency care programs for ill or injured students. Any such  
18 services or facilities shall be so provided notwithstanding any  
19 provision of any charter or other provision of law inconsistent here-  
20 with. Where children residing in one school district attend a school  
21 other than public located in another school district, the school author-  
22 ities of the district of residence shall contract with the school  
23 authorities of the district where such nonpublic school is located, for  
24 the provision of such health and welfare services and facilities to such

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

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1 children by the school district where such nonpublic school is located,  
2 for a consideration to be agreed upon between the school authorities of  
3 such districts, subject to the approval of the qualified voters of the  
4 district of residence when required under the provisions of this chap-  
5 ter. Every such contract shall be in writing and in the form prescribed  
6 by the commissioner, and before such contract is executed the same shall  
7 be submitted for approval to the superintendent of schools having juris-  
8 diction over such district of residence and such contract shall not  
9 become effective until approved by such superintendent.

10 § 2. The education law is amended by adding a new section 3039 to read  
11 as follows:

12 § 3039. Physical and occupational therapists. Each school district or  
13 board of cooperative educational services which employs a physical ther-  
14 apist as licensed pursuant to article one hundred thirty-six of this  
15 chapter or an occupational therapist licensed pursuant to article one  
16 hundred fifty-six of this chapter shall categorize and pay such thera-  
17 pists in alignment with the department's career ladder pathway frame-  
18 work. Each school district or board of cooperative educational services  
19 shall further offer such therapists school leadership opportunities that  
20 are developed collaboratively and systematically to implement comprehen-  
21 sive systems of professional learning, support and advancement for all  
22 educators.

23 § 3. This act shall take effect on the first of July next succeeding  
24 the date on which it shall have become a law.