STATE OF NEW YORK

S. 4510 A. 4020

2023-2024 Regular Sessions

SENATE - ASSEMBLY

February 9, 2023

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

IN ASSEMBLY -- Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the provision of certain services to students in nonpublic schools in certain school districts

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 subparagraph 60 to read as follows:

60. Notwithstanding any law, rule or regulation to the contrary, for any school district that has sixty-five percent or greater of students living in the district that attend a nonpublic school, such school district shall provide no services to pupils attending a nonpublic school pursuant to sections seven hundred one, seven hundred eleven, seven hundred twelve, seven hundred fifty-one, nine hundred twelve, thirty-six hundred two-c and thirty-six hundred thirty-five of this chapter. Students attending a nonpublic school within such districts shall be provided by the nonpublic school with the same services that are made available to students attending the public school of where such nonpublic school is located pursuant to sections seven hundred one, seven hundred eleven, seven hundred twelve, seven hundred fifty-one, nine hundred twelve, thirty-six hundred two-c and thirty-six hundred thirty-five of this chapter. Prior to services being provided by a nonpublic school, nonpublic schools will be required to submit certifications in a system developed by the commissioner of the services provided electronically or in any other media form which the commissioner reasonably determines offers the same degree of accountability and control provided by paper certifications. The commissioner will have the

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

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power to review and seek correction of any service provided by nonpublic schools. All costs pertaining to these services provided by nonpublic schools shall be approved by the commissioner and shall be borne by the state.

§ 2. This act shall take effect immediately and shall apply to school years commencing on and after the first of July next succeeding such effective date.