STATE OF NEW YORK

4233

2023-2024 Regular Sessions

IN ASSEMBLY

February 13, 2023

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

AN ACT to amend the education law, in relation to special day schools and the instruction of school delinquents

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

Section 1. Subdivision 2 of section 3214 of the education law, as amended by chapter 181 of the laws of 2000, is amended to read as follows:

2. Special day schools. The school authorities of any city or school district [~~may~~] **shall** establish schools or set apart rooms in public school buildings for the instruction of school delinquents, and fix the number of days per week and the hours per day of required attendance, which shall not be less than is required of minors attending the full time day schools. **Such schools or rooms shall be used for the instruction of school delinquents, except when a student's violent behavior has made such student an unreasonable risk to the teachers and students in such schools or rooms, or when the student's delinquent activity continues to repeat while in attendance at such school or room such that the student's behavior poses an unreasonable risk to the education of the other children in such school or room, in which case the city or school district shall follow the procedures set forth in subdivision three of this section. Two or more school districts may contract to share special schools or special school rooms established pursuant to this subdivision. A school district shall be authorized to use a special school or special school rooms established by another district, or two or more districts may cooperate in the creation of such special school or school rooms. Such school districts may also, where appropriate, share costs associated with the transportation of students to and from shared special schools.**

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

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

LBD05524-01-3