# STATE OF NEW YORK

5023

2023-2024 Regular Sessions

# IN ASSEMBLY

February 27, 2023

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

AN ACT to amend the education law, in relation to directing the commissioner of education to require public school districts to report on compliance with art education instruction requirements

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

Section 1. The education law is amended by adding a new section 817 to read as follows:

§ 817. Compliance with art education instruction requirements. 1. The commissioner shall create a procedure in which school district compliance with art education instruction requirements as required by law and regulation in elementary and secondary grades in all public schools is reported to the department by each school district. Each such report shall include but not be limited to the following information for each school district:

a. how many and which schools do not have art education instruction as required by law and regulation;

b. the reason or reasons why the schools in paragraph a of this subdivision are not in compliance with art education instruction requirements;

c. the maximum number of students who can receive art education instruction at each school and how many students currently receive art education instruction at each school;

d. how many and which schools do not employ a teacher or teachers certified in art education for art education instruction;

e. how many and which schools do not provide the class time for art education instruction as required by law and regulation and the reason or reasons why the schools do not provide appropriate time for such instruction; and

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

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f. how many and which schools are not in compliance with art education instruction requirements established in law and regulation or are in violation of any art education-related law or regulation.

2. Each superintendent of a school district which contains at least one school which is not in compliance with art education instruction requirements established in law and regulation shall:

a. prepare a corrective action plan to be reviewed and approved by the board of education at a public meeting; and

b. to the extent practicable, begin implementation of such corrective action plan the following school year.

3. A list of the school districts that fail to comply with the reporting requirements in subdivision one of this section shall be posted on the department's website.

4. On or before July first, two thousand twenty-four, and every year thereafter, the commissioner shall report to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly committees on education the commissioner's findings based on the information reported pursuant to subdivision one of this section, including an analysis and explanation of the data, and shall identify steps that can be taken to ensure that all public schools are in compliance with art education instruction requirements in elementary and secondary grades.

§ 2. This act shall take effect immediately.