STATE OF NEW YORK

1034

2023-2024 Regular Sessions

IN SENATE

January 9, 2023

Introduced by Sen. JACKSON -- 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 promoting the inclusion of children living in temporary housing in prekindergarten programs

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

Section 1. Section 3602-e of the education law is amended by adding a new subdivision 21 to read as follows:

21. Each school district implementing a prekindergarten program shall promote the inclusion of homeless children, as defined in section thirty-two hundred nine of this chapter.

a. Notwithstanding any other provision of law to the contrary, where the class size for a prekindergarten class has reached its maximum capacity, as determined by regulations of the commissioner, the school district in which a homeless child is currently temporarily housed in a motel, hotel, shelter or other temporary housing arrangement shall prioritize such child's placement on any waitlist for enrollment in a prekindergarten program.

b. Notwithstanding any other provision of law to the contrary, where the class size for a prekindergarten class necessitates the hiring of additional staff, as determined by regulations of the commissioner, to accommodate the enrollment of a homeless child, the school district shall be reimbursed by the department for the direct cost of hiring such additional staff, not otherwise reimbursed under other federal programs, calculated pursuant to regulations of the commissioner.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized to be made on or before such date.

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

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