STATE OF NEW YORK

7256

2023-2024 Regular Sessions

IN SENATE

May 19, 2023

Introduced by Sen. CANZONERI-FITZPATRICK -- read twice and ordered printed, and when printed to be committed 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:

Section 1. Section 912 of the education law, as amended by chapter 477 of the laws of 2004, is amended to read as follows:

§ 912. Health and welfare services to all children. The voters and/or trustees or board of education of every school district shall, upon request of the authorities of a school other than public, provide resident children who attend such school with any or all of the health and welfare services and facilities which are made available by such voters and/or trustees or board of education to or for children attending the public schools of the district. Such services may include, but are not limited to all services performed by a physician, physician assistant, **physical therapist, occupational therapist,** dentist, dental hygienist, registered professional nurse, nurse practitioner, school psychologist, school social worker or school speech therapist, and may also include dental prophylaxis, vision and hearing screening examinations, the taking of medical histories and the administration of health screening tests, the maintenance of cumulative health records and the administration of emergency care programs for ill or injured students. Any such services or facilities shall be so provided notwithstanding any provision of any charter or other provision of law inconsistent herewith. Where children residing in one school district attend a school other than public located in another school district, the school authorities of the district of residence shall contract with the school authorities of the district where such nonpublic school is located, for

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

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the provision of such health and welfare services and facilities to such children by the school district where such nonpublic school is located, for a consideration to be agreed upon between the school authorities of such districts, subject to the approval of the qualified voters of the district of residence when required under the provisions of this chapter. Every such contract shall be in writing and in the form prescribed by the commissioner, and before such contract is executed the same shall be submitted for approval to the superintendent of schools having jurisdiction over such district of residence and such contract shall not become effective until approved by such superintendent.

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

§ 3039. Physical and occupational therapists. Each school district or board of cooperative educational services which employs a physical therapist as licensed pursuant to article one hundred thirty-six of this chapter or an occupational therapist licensed pursuant to article one hundred fifty-six of this chapter shall categorize and pay such therapists in alignment with the department's career ladder pathway framework. Each school district or board of cooperative educational services shall further offer such therapists school leadership opportunities that are developed collaboratively and systematically to implement comprehensive systems of professional learning, support and advancement for all educators.

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