

# STATE OF NEW YORK

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1994--A

2023-2024 Regular Sessions

## IN ASSEMBLY

January 23, 2023

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Introduced by M. of A. FALL -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to prohibiting discrimination of students on school property or at a school function based on religious attire, clothing or facial hair

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

1 Section 1. Subdivision 1 of section 12 of the education law, as  
2 amended by chapter 102 of the laws of 2012, is amended to read as  
3 follows:

4 1. No student shall be subjected to harassment or bullying by employ-  
5 ees or students on school property or at a school function; nor shall  
6 any student be subjected to discrimination based on a person's actual or  
7 perceived race, color, weight, national origin, ethnic group, religion  
8 or the wearing of any attire, clothing, or facial hair in accordance  
9 with the requirements of his or her religion, religious practice, reli-  
10 gious attire, disability, sexual orientation, gender, or sex by school  
11 employees or students on school property or at a school function. Noth-  
12 ing in this subdivision shall be construed to prohibit a denial of  
13 admission into, or exclusion from, a course of instruction based on a  
14 person's gender that would be permissible under section thirty-two  
15 hundred one-a or paragraph (a) of subdivision two of section twenty-  
16 eight hundred fifty-four of this chapter and title IX of the Education  
17 Amendments of 1972 (20 U.S.C. section 1681, et. seq.), or to prohibit,  
18 as discrimination based on disability, actions that would be permissible  
19 under section 504 of the Rehabilitation Act of 1973.

20 § 2. This act shall take effect immediately.

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

LBD06632-03-3