

STATE OF NEW YORK

4598--B

2023-2024 Regular Sessions

IN SENATE

February 13, 2023

Introduced by Sens. BAILEY, BROUK, CLEARE, COMRIE, FERNANDEZ, GIANARIS, GOUNARDES, HARCKHAM, HOYLMAN-SIGAL, JACKSON, LIU, MYRIE, PARKER, PERSAUD, SALAZAR, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to enacting the "school anti-violence education act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "school anti-violence education act".

3 § 2. The education law is amended by adding a new section 115 to read
4 as follows:

5 § 115. School anti-violence education. 1. Legislative findings. The
6 legislature hereby finds and declares that gun violence and other forms
7 of violence constitute a crisis that poses a serious threat to the
8 health and quality of life of all residents of the state of New York,
9 particularly youth under eighteen years of age. An epidemic of violence
10 is tearing at the fabric of life in many urban areas. The legislature
11 further finds that funds should be used to support school anti-violence
12 education programs.

13 2. Definitions. For the purposes of this section, the following terms
14 shall have the following meanings:

15 (a) "evidence-based anti-violence program" means a program or an
16 initiative that:

17 (i) is developed and evaluated through scientific research and data
18 collection;

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

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1 (ii) uses public health principles that demonstrate measurable posi-
2 tive outcomes in preventing gun violence; and

3 (iii) is implemented by a nonprofit organization or public entity at
4 or in affiliation with a government-funded public school.

5 (b) "school anti-violence education program" means a school-based or
6 school-affiliated evidence-based anti-violence education program that is
7 operated by:

8 (i) a nonprofit organization or public entity; and

9 (ii) provides evidence-based trauma-support and group counseling and
10 anti-gun violence education that includes personal and group develop-
11 ment, research-based facts and misconceptions about guns and the gun
12 violence crisis, and youth empowerment programming.

13 3. School anti-violence education program. (a) The department is
14 authorized to establish school anti-violence education programs, which
15 shall be funded through the omnibus school violence prevention grant
16 program established under section twenty-eight hundred fourteen of this
17 chapter.

18 (b) No firearms shall be used for training or demonstration or another
19 use in any school anti-violence education program established pursuant
20 to this section.

21 (c) The department shall secure alternative funding sources other than
22 the state to fund school anti-violence education programs, including
23 local government and private sources as well as funding from the federal
24 government.

25 § 3. Paragraph a of subdivision 1 of section 2814 of the education
26 law, as added by chapter 181 of the laws of 2000, is amended to read as
27 follows:

28 a. School safety activities. Programs eligible for funding pursuant to
29 this section may include, but not be limited to: (i) safe corridors
30 programs; (ii) diversity programs; (iii) collaborative school safety
31 programs with law enforcement agencies or community-based organizations;
32 (iv) metal detectors, intercom and other intra-school communication
33 devices and other devices to increase school security and the safety of
34 school personnel and students; (v) school anti-violence education
35 programs; and (vi) other programs including comprehensive school-based
36 intervention models, approved by the commissioner, that reduce violence
37 and improve school safety. Comprehensive school based intervention
38 models shall coordinate with and collaborate with other services
39 currently being provided in the school district, incorporate appropriate
40 school violence prevention and intervention services, and coordinate
41 appropriate funding sources to ensure the efficient delivery of
42 services. Such comprehensive school-based intervention models shall also
43 include provisions for the involvement of teachers, parents, school
44 administrators in the development and implementation of the program, a
45 detailed statement identifying specific performance goals, a proposed
46 timetable for implementation and achievement of such goals and specific
47 assessment methods which will be used to measure student and school
48 progress.

49 § 4. Paragraph a of subdivision 1 of section 2814 of the education
50 law, as amended by chapter 529 of the laws of 2023, is amended to read
51 as follows:

52 a. School safety activities. Programs eligible for funding pursuant to
53 this section may include, but not be limited to: (i) safe corridors
54 programs; (ii) diversity programs; (iii) collaborative school safety
55 programs with law enforcement agencies or community-based organizations;
56 (iv) metal detectors, intercom and other intra-school communication

1 devices and other devices to increase school security and the safety of
2 school personnel and students; (v) programs which facilitate and promote
3 community involvement in school facility planning; [~~and~~] (vi) school
4 anti-violence education programs; and (vii) other programs including
5 comprehensive school-based intervention models, approved by the commis-
6 sioner, that reduce violence and improve school safety. Comprehensive
7 school based intervention models shall coordinate with and collaborate
8 with other services currently being provided in the school district,
9 incorporate appropriate school violence prevention and intervention
10 services, and coordinate appropriate funding sources to ensure the effi-
11 cient delivery of services. Such comprehensive school-based intervention
12 models shall also include provisions for the involvement of teachers,
13 parents, school administrators in the development and implementation of
14 the program, a detailed statement identifying specific performance
15 goals, a proposed timetable for implementation and achievement of such
16 goals and specific assessment methods which will be used to measure
17 student and school progress.

18 § 5. If any clause, sentence, paragraph, or section of this act shall
19 be adjudged by any court of competent jurisdiction to be invalid and
20 after exhaustion of all further judicial review, the judgment shall not
21 affect, impair or invalidate the remainder thereof, but shall be
22 confined in its operation to the clause, sentence, paragraph, or section
23 of this act directly involved in the controversy in which the judgment
24 shall have been rendered.

25 § 6. This act shall take effect immediately; provided, however, that
26 the amendments to paragraph a of subdivision 1 of section 2814 of the
27 education law made by section four of this act shall take effect on the
28 same date and in the same manner as chapter 529 of the laws of 2023,
29 takes effect.