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:

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

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

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

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

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

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

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

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(ii) uses public health principles that demonstrate measurable positive outcomes in preventing gun violence; and

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

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

(i) a nonprofit organization or public entity; and

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

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

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

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

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

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

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

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

devices and other devices to increase school security and the safety of school personnel and students; (v) programs which facilitate and promote community involvement in school facility planning; [~~and~~] (vi) **school anti-violence education programs; and (vii)** other programs including comprehensive school-based intervention models, approved by the commissioner, that reduce violence and improve school safety. Comprehensive school based intervention models shall coordinate with and collaborate with other services currently being provided in the school district, incorporate appropriate school violence prevention and intervention services, and coordinate appropriate funding sources to ensure the efficient delivery of services. Such comprehensive school-based intervention models shall also include provisions for the involvement of teachers, parents, school administrators in the development and implementation of the program, a detailed statement identifying specific performance goals, a proposed timetable for implementation and achievement of such goals and specific assessment methods which will be used to measure student and school progress.

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

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