

# STATE OF NEW YORK

6737

2023-2024 Regular Sessions

## IN SENATE

May 8, 2023

Introduced by Sen. RHOADS -- 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 restrictions on authority for the withholding of public monies from educational institutions

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

- 1 Section 1. Section 306 of the education law, subdivision 1 as amended  
2 by chapter 298 of the laws of 1957, is amended to read as follows:  
3 § 306. Removal of school officers; withholding public money. 1. When-  
4 ever it shall be proved to his or her satisfaction that any trustee,  
5 member of a board of education, clerk, collector, treasurer, district  
6 superintendent, superintendent of schools or other school officer is a  
7 member of an organization listed as subversive by the board of regents  
8 pursuant to the provisions of section three thousand twenty-two of this  
9 chapter, or has been guilty of any wilful violation or neglect of duty  
10 under this chapter, or any other act pertaining to common schools or  
11 other educational institution participating in state funds, or wilfully  
12 disobeying any decision, order, rule or regulation of the regents or of  
13 the commissioner [~~of education~~], [~~said~~] such commissioner, after a hear-  
14 ing at which the school officer shall have the right of representation  
15 by counsel, may, by an order under his or her hand and seal, which order  
16 shall be recorded in his or her office, remove such school officer from  
17 his or her office.  
18 2. [~~said~~] Such commissioner [~~of education~~] may also withhold from any  
19 district or city its share of the public money of the state for wilfully  
20 disobeying any provision of law [~~or any decision, order or regulation as~~  
21 ~~aforsaid~~], or for such decisions, orders or regulations as aforesaid  
22 whose willful violation constitutes an immediate threat to the health,  
23 safety, education or welfare of students, employees or visitors at such

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

LBD11149-03-3

1 common school, educational institution, school district or public  
2 school.

3 § 2. This act shall take effect immediately.