

STATE OF NEW YORK

7706

2023-2024 Regular Sessions

IN SENATE

October 16, 2023

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to home instruction

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

1 Section 1. Paragraphs (iv) and (v) of subdivision 2 of section 3204 of
2 the education law are renumbered paragraphs (v) and (vi) and a new para-
3 graph (iv) is added to read as follows:

4 (iv) (A) For purposes of considering substantial equivalence pursuant
5 to this subdivision for instruction provided at home to students of
6 compulsory school attendance age, the local school authority shall deem
7 home instruction to be substantially equivalent in amount and quality to
8 the instruction given to students of like age and attainments at the
9 public schools of the city or district where the student resides when
10 the parent or person in a parental relation with the student has
11 complied with the requirements of this article and the home instruction
12 requirements prescribed in the commissioner's regulations through grade
13 twelve.

14 (B) Once a parent or person in parental relation has fulfilled the
15 obligations of home instruction as set forth in subparagraph (A) of this
16 paragraph to complete high school, such person shall request from the
17 superintendent of schools of the student's school district of residence,
18 and such superintendent shall provide, within thirty days, to the parent
19 or person in parental relation, or student, where the student is eigh-
20 teen years or older, a letter, in a form and manner prescribed by the
21 commissioner, certifying the student's successful completion of home
22 instruction that was substantially equivalent to the public schools of
23 such city or district, and provided further that, upon request from an
24 institution of higher education or licensed private career school, the
25 superintendent of schools shall provide, within thirty days, an official

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

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1 copy of such letter of substantial equivalence to the institution of
2 higher education or licensed private career school.

3 (C) (1) As used in this paragraph, "institution of higher education"
4 shall mean any institution of higher education recognized and approved
5 by the regents of the university of the state of New York which provides
6 a course of study leading to the granting of a post-secondary degree or
7 diploma.

8 (2) As used in this paragraph, "licensed private career school" shall
9 have the same meaning as defined in paragraph a of subdivision one of
10 section five thousand one of this chapter.

11 § 2. This act shall take effect immediately.