

# STATE OF NEW YORK

2326

2025-2026 Regular Sessions

## IN ASSEMBLY

January 16, 2025

Introduced by M. of A. WOERNER, LUPARDO, TAPIA, SANTABARBARA, GANDOLFO, TAGUE, HAWLEY, McDONOUGH, LUNSFORD, ZINERMAN, DAVILA, DeSTEFANO, ANGELINO, BENDETT, BUTTENSCHON, CLARK -- read once and referred to the Committee on Education

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

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

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1 superintendent of schools shall provide, within thirty days, an official  
2 copy of such letter of substantial equivalence to the institution of  
3 higher education or licensed private career school.

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

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

12 § 2. This act shall take effect immediately.