

# STATE OF NEW YORK

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4388

2025-2026 Regular Sessions

## IN ASSEMBLY

February 4, 2025

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Introduced by M. of A. O'PHARROW -- read once and referred to the  
Committee on Education

AN ACT to amend the education law, in relation to prohibiting the use of  
remote or virtual learning as a form of punishment or disciplinary  
action

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

1 Section 1. Section 3214 of the education law is amended by adding a  
2 new subdivision 3-b to read as follows:

3 3-b. Remote or virtual learning as a punishment prohibited. No board  
4 of education, board of trustees or sole trustee, superintendent of  
5 schools, district superintendent of schools, school principal, or teach-  
6 er shall require a student to attend classes via remote or virtual  
7 learning as a form of punishment or disciplinary action. Provided,  
8 however, discipline requiring remote learning may be implemented for  
9 failure to adhere to health and safety protocols, developed by state and  
10 local governments, in response to the COVID-19 pandemic, including but  
11 not limited to, protocols related to masks and social distancing. Any  
12 such discipline shall be included in the school district's code of  
13 conduct and also posted separately on such school district's website.

14 § 2. This act shall take effect immediately.

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

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