STATE OF NEW YORK

199

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. MARTINEZ, BORRELLO, CLEARE, GALLIVAN, MURRAY, OBERACKER, O'MARA, PALUMBO, ROLISON, TEDISCO, WALCZYK, WEIK -- 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 home instruction

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

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

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

(B) Once a parent or person in parental relation has fulfilled the obligations of home instruction as set forth in subparagraph (A) of this paragraph to complete high school, such person shall request from the superintendent of schools of the student's school district of residence, and such superintendent shall provide, within thirty days, to the parent or person in parental relation, or student, where the student is eighteen years or older, a letter, in a form and manner prescribed by the commissioner, certifying the student's successful completion of home instruction that was substantially equivalent to the public schools of such city or district, and provided further that, upon request from an

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

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

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

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

§ 2. This act shall take effect immediately.