STATE OF NEW YORK

4854

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. DURSO -- read once and referred 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:

Section 1. Section 306 of the education law, subdivision 1 as amended by chapter 298 of the laws of 1957, is amended to read as follows:

§ 306. Removal of school officers; withholding public money. 1. Whenever it shall be proved to [~~his~~] **the commissioner's** satisfaction that any trustee, member of a board of education, clerk, collector, treasurer, district superintendent, superintendent of schools or other school officer is a member of an organization listed as subversive by the board of regents pursuant to the provisions of section three thousand twenty-two of this chapter, or has been guilty of any wilful violation or neglect of duty under this chapter, or any other act pertaining to common schools or other educational institution participating in state funds, or wilfully disobeying any decision, order, rule or regulation of the regents or of the commissioner [~~of education~~], [~~said~~] **such** commissioner, after a hearing at which the school officer shall have the right of representation by counsel, may, by an order under [~~his~~] **their** hand and seal, which order shall be recorded in [~~his~~] **their** office, remove such school officer from [~~his~~] office.

2. [~~Said~~] **Such** commissioner [~~of education~~] may also withhold from any district or city its share of the public money of the state for wilfully disobeying any provision of law [~~or any decision, order or regulation as aforesaid~~]**, or for such decisions, orders or regulations as aforesaid whose willful violation constitutes an immediate threat to the health, safety, education or welfare of students, employees or visitors at such common school, educational institution, school district or public school**.

§ 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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