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## Assembly Education

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ALBANY - (05/11/22, 10:00 a.m., Webcast)

The Assembly Standing Committee on Education met Wednesday morning to consider 45 bills. In attendance were Chair Michael Benedetto and Ranker Douglas Smith along with Assembly Members William Magnarelli, Amy Paulin, Philip Ramos, Daniel O'Donnell, Ronald Kim, Steven Otis, Rebecca Seawright, Alicia Hyndman, Harry Bronson, Jo Anne Simon, Kimberly Jean-Pierre, Alfred Taylor, Inez Dickens, Latoya Joyner, Rodneyse Bichotte Hermelyn, Sayegh Nader, Marianne Buttenschon, William Conrad, Chantel Jackson, Marcela Mitaynes, Amanda Septimo, Manny De Los Santos, Mary Beth Walsh, David McDonough, John Mikulin, Christopher Friend, Michael Reilly, Michael Lawler, and Eric Ari Brown.

The Chair began the day by informing members that, while this is the last regularly scheduled meeting of the committee, they should expect to reconvene before the end of session.

After the conclusion of the meeting, Walsh asked where the process for filling the Board of Regents seat vacated by the late Beverly Ouderkirk currently sits. The Chair said the deadline for applicants to present themselves had just passed, adding they would be interviewing the four candidates for the position next Wednesday at around 12:30 p.m.

The following bills were reported and referred to Ways and Means:

- N [AB 66](#) By Gunther, Aileen M.. Requires the board of regents to provide a live webcast of their meetings.
- N [AB 4122](#) By Thiele, Jr., Fred W.. Relates to additional apportionment of building aid for certain projects.
- N [AB 6210](#) By Lavine, Charles D.. Establishes the Long Island power plant tax assessment challenge reserve fund.
- N [AB 8295](#) By Salka, John. Permits the Canastota central school district to establish an insurance reserve fund.
- N [AB 8425](#) By Burke, Patrick. Relates to requiring nonpublic schools to follow the same rules and regulations as public schools regarding a pupil who suffers a concussion.
- N [AB 9795](#) By Friend, Christopher S.. Relates to permitting the Candor central school district to establish an insurance reserve fund.
- N [AB 9878](#) By Conrad III, William (F). Relates to excluding certain lottery winnings from a school district's adjusted gross income.

McDonough asked if this bill assumes the school district, and not an individual, purchased the lottery ticket. The Chair clarified the bill was meant to address situations where an individual wins a significant sum of money via the lottery and therefore artificially inflated the average income level of the area, negatively impacting school district funding.

- N [AB10191](#) By Benedetto, Michael R.. Relates to the tuition methodology for special education schools and programs.
- N [AB10192](#) By Benedetto, Michael R.. Relates to tuition reimbursement interim rates.

The following bills were reported and referred to Rules:

- N [AB 8610](#) By Abinanti, Thomas J.. Provides that a student enrolled in an individualized education program during certain school years may continue to receive educational services for a certain period.

Smith noted that this provision came without a mandate, asking if there was any way one could be introduced. The Chair said they were currently leaving it up to schools to decide for themselves but if they wished to impose a mandate in the future they could. However, he made clear he wished to keep it voluntary.

The following bills were held for consideration:

- T [AB 1101](#) By Byrnes, Marjorie. Limits the liability of a school.

The Minority voted in the negative.

- N [AB 3881](#) By DeStefano, Joseph. Relates to the legislature's power over the board of regents.

The Minority voted in the negative.

**N** [AB 4439](#) By Manktelow, Brian. Requires schools to allow fire departments to make a recruitment presentation in a high school.

The Minority, along with Buttenschon, voted in the negative.

**N** [AB 4589](#) By Jensen, Josh (F). Authorizes the board of education of any school district in the state to enter into a contract for the sale of advertising space on school athletic fields.

The Minority voted in the negative.

**N** [AB 4617](#) By Jensen, Josh (F). Relates to being absent from full time day instruction for the purpose of sounding Taps at a military honors funeral held in this state.

The Minority voted in the negative.

Smith said the sponsor's intent was to allow student musicians to have their absence excused should they be sounding Taps at a military funeral. The Chair said the intention was sound, and one he personally agreed with, but noted every school district is required to have their own attendance policies and, as such, this decision is best left up to them.

**N** [AB 4704](#) By Manktelow, Brian. Provides optional doorstops or other similar devices to school districts for certain emergency situations.

The Minority voted in the negative.

**N** [AB 4708](#) By McDonough, David G.. Requires that all chaperones or volunteers of school trips which involve taking students out of the state or out of the country be trained in first aid and to recognize certain medical emergencies.

The Minority voted in the negative.

McDonough, the bill's sponsor, said this bill stemmed from an incident where a child died as a result of a medical emergency on an cross-country bus trip and no medically trained personnel were on board to assist. He said he felt very strongly that this was a good bill and that he planned to reintroduce it, but offered it to any member of the Majority who might want to advance it themselves. The Chair said that, while he agrees with its intent, the measure might place an undue burden on schools and ultimately even force them to cancel planned trips. It was also unclear, the Chair added, whether or not the schools would be required to pay for the medical professionals themselves.

**N** [AB 4796](#) By McDonough, David G.. Establishes the gifted education reinforcement act.

The Minority voted in the negative.

**N** [AB 4864](#) By Goodell, Andrew. Creates the school board empowerment act.

The Minority voted in the negative.

**N** [AB 4866](#) By Goodell, Andrew. Allows school boards to make decisions regarding layoffs based on performance, qualifications and student needs.

The Minority voted in the negative.

**N** [AB 4888](#) By Goodell, Andrew. Providing that the Board of Regents shall have the responsibility to respond to the COVID-19 pandemic, terminating certain Executive Orders, and providing for procedures for certain future Executive Orders.

The Minority voted in the negative.

Smith said the purpose of this bill was to take emergency authority over education away from the Governor's office and return it to the Board of Regents. The Chair said the bill was being held because it was the committee's belief that recent laws passed in 2021 already had the effect of accomplishing this purpose.

**N** [AB 4942](#) By Palmesano, Philip A.. Relates to hunting, fishing and outdoor education in high school physical education courses.

The Minority voted in the negative.

**N** [AB 4959](#) By Goodell, Andrew. Authorizes two or more school districts in certain counties to enter into a contract to establish and operate a regional high school.

The Minority voted in the negative.

**N** [AB 5196](#) By Montesano, Michael A.. Relates to procurement of materials and supplies by superintendents and schools.

The Minority voted in the negative.

**N** [AB 6019](#) By Lawler, Michael V. (F). Requires schools to develop a seizure action plan for students diagnosed with a seizure disorder.

The Minority voted in the negative.

Smith said many students suffer from issues with seizures and that it was for their safety and health that this bill was introduced. The Chair said the bill was being held because it might create "an arduous and complicated process" for school districts and private schools to implement. In addition, the Chair said the bill could be interpreted as a curriculum mandate which the Committee does not legislate.

**N AB 6048** By Lawler, Michael V. (F). Relates to the adoption and enforcement of rules by public school districts for the control of use, and access to, school grounds and facilities.

The Minority voted in the negative.

**N AB 6149** By Tague, Christopher. Requires the commissioner of education of the state of New York to conduct a study on the sufficiency of current education aid apportionment formulas and make recommendations for improvements to such formulas.

The Minority voted in the negative.

**N AB 6343** By Ra, Edward P.,. Requires the commissioner of education to make recommendations on whether certain schools should implement water safety instruction into the curriculum.

The Minority voted in the negative.

**N AB 6462** By McDonough, David G.. Requires the development of a bleeding control kit program and the installation of bleeding control kits in schools.

The Minority voted in the negative.

McDonough, the bill's sponsor, said this bill was essential and again offered it to any member of the Majority who might wish to advance it. The Chair said the bill was being held because it remains unclear how a bleeding control kit differs from a first aid kit already kept by a school nurse. McDonough said bleeding control kits work like an AED machine with instructions for use printed inside of it.

**N AB 6751** By Tague, Christopher. Requires public schools to provide at least one flavored milk option at scheduled meal periods.

The Minority voted in the negative.

**N AB 8317** By Lawler, Michael V. (F). Includes the attacks on September 11, 2001 in courses of instruction in patriotism and citizenship.

The Minority voted in the negative.

Smith said the bill's purpose was to educate students on the events of September 11, 2001 who were not alive at that time. He noted social studies curriculum are often slow to incorporate modern day history. The Chair said the intent of the bill was laudable but reiterated the committee avoids making mandates on curriculum, preferring it be left to the Department of Education and the Board of Regents.

Conrad, identifying himself as a social studies teacher, said that 9/11 was already in the state curriculum and is even included on the state regents exam.

**N AB 9030** By Walczyk, Mark. Directs the office of mental health to develop materials relating to suicide prevention for school-aged children; authorizes school districts to include suicide prevention in health class curriculum.

The Minority voted in the negative.

**N AB 9071** By Lawler, Michael V. (F). Relates to prohibiting certain payments and benefits to administrators under an individual contract.

The Minority voted in the negative.

**N AB 9230** By Lemondes, Jr., John (F). Requires instruction in agriculture.

The Minority voted in the negative.

Smith said he thought it was important that students be educated in essential aspects of agriculture, noting he himself grew up on the suburbs of Long Island where his schooling was absent such instruction. The Chair again said the bill was being held due to its creation of a curriculum mandate, which the committee does not do.

Paulin said such an education was considered a priority for the Women's Caucus and that the state should try to encourage this kind of learning. Nonetheless, she said, she understood the committee avoids issuing mandates.

Smith said he believed the bill's sponsor, Assemblymember Lemondes, was open to writing a letter on the subject to the Board of Regents asking them to take this idea into account.

**N AB 9468** By Ra, Edward P.,. Relates to the use of portable non-invasive anti-choking devices in schools.

The Minority voted in the negative.

The following bills were held at the sponsor's request:

**N AB 301** By Gottfried, Richard N.. Relates to requiring public schools to offer plant-based food options in food service.

- N** [AB 840](#) By Gottfried, Richard N.. Requires the board of education and the trustees or sole trustee of every school district to establish policies and procedures regarding the treatment of transgender or gender non-conforming students.
- N** [AB 2007](#) By Niou, Yuh-Line. Requires schools to include instruction on the prevention of eating disorders as an integral part of their health education programs.
- N** [AB 3446](#) By Griffin, Judy. Relates to extending the time period for recovery of energy performance contract costs incurred by school districts.
- T** [AB 3652](#) By Griffin, Judy. Relates to standardized vaping and e-cigarette school guidelines.
- N** [AB 5578](#) By Walker, Latrice Monique. Relates to enacting the Educational Rights Transparency for New York Families Act.
- N** [AB 6219](#) By Griffin, Judy. Relates to the credentials of construction contractors hired to perform work on certain school facilities.
- N** [AB 6757](#) By Griffin, Judy. Relates to admission to charter schools.
- N** [AB 6946](#) By Galef, Sandra R.. Relates to preventing and reporting acts of harassment at schools.
- N** [AB 9739](#) By Galef, Sandra R.. Relates to solar arrays on certain eligible school buildings.

Matthew Mirro / New York StateWatch

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**Committee Member Contact Information (click or mouse over):** [Benedetto, Michael R. \(D\)](#) / [Magnarelli, William B. \(D\)](#) / [Paulin, Amy R. \(D\)](#) / [Ramos, Philip R. \(D\)](#) / [O'Donnell, Daniel J. \(D\)](#) / [Kim, Ronald T. \(D\)](#) / [Otis, Steven \(D\)](#) / [Seawright, Rebecca A. \(D\)](#) / [Hyndman, Alicia \(D\)](#) / [Bronson, Harry B. \(D\)](#) / [Simon, Jo Anne \(D\)](#) / [Jean-Pierre, Kimberly \(D\)](#) / [Taylor, Alfred \(D\)](#) / [Dickens, Inez \(D\)](#) / [Joyner, Latoya \(D\)](#) / [Bichotte Hermelyn, Rodneyse \(D\)](#) / [Sayegh, Nader \(D\)](#) / [Buttenschon, Marianne \(D\)](#) / [Conrad III, William \(F\) \(D\)](#) / [Jackson, Chantel \(F\) \(D\)](#) / [Mitaynes, Marcela \(F\) \(D\)](#) / [Septimo, Amanda \(F\) \(D\)](#) / [De Los Santos, Manny \(F, SE\) \(D\)](#) / [Smith, Douglas \(R\)](#) / [Walsh, Mary Beth \(R\)](#) / [McDonough, David G. \(R\)](#) / [Mikulin, John \(R\)](#) / [Friend, Christopher S. \(R\)](#) / [Reilly, Michael \(R\)](#) / [Lawler, Michael V. \(F\) \(R\)](#) / [Brown, Eric Ari \(F, SE\) \(R\)](#)

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