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FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Freedom 3

Bill #:SF-23

1

2 **Sponsors:** Alex Fenstermacher, Benjamin Finkel, Uriel Korin, Ayden Williams

3

4 **An Act To**

5 Amend section §3210 of NYS Consolidated Education Law to add physical and
6 mental sickness days excused from school.

7

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

9

10

11 **Purpose**

12 The bill will grant students excused absences from school on the basis of physical or
13 mental illness.

14

15 **Summary of Provisions**

16 Section 1

17 Excused absence: any occasion in which a student misses school and may make up
18 work from classes missed.

19 Illness(mental): a condition that affects a person's thinking, feeling, or mood.

20 Illness(physical): an unhealthy condition of the body.

21

22 Section 2

23 Section 3210

24 1. c. In the event that a person requests the release of a minor required by the

25 provisions of part one of this article to attend upon instruction, the identity of

26 such person shall be verified against a list of names provided by the person

27 or persons in parental relation to the minor, as defined in section two of this

28 chapter, at the time of such minor's enrollment. The school district may

29 adopt appropriate procedures for the purpose of submitting a list of names at

30 a later date or updating the list of names provided by the person or persons

31 in parental relation. If such person is identified as one of those persons

32 included on such list, such minor may be released from attendance. If such

33 person is identified as a person not included on such list, such minor may not

34 be released except in the event of an emergency as determined in the sole

35 discretion of the principal of the school, or his designee, provided that the

36 person or persons in parental relation to the minor have been contacted and

37 have agreed to such release. A school district may presume that either

38 parent of the student has authority to obtain the release of said minor unless



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39 the school district has been provided with a certified copy of the legally
40 binding instrument such as the court order or decree of divorce, separation
41 or custody which provides evidence to the contrary. No situation shall be
42 deemed an emergency until the facts of such situation have been verified by
43 such principal or his designee. No civil or criminal liability shall arise or attach
44 to any school district or employee thereof for any act or omission to act as a
45 result of, or in connection with, the duties or activities authorized or directed
46 by this paragraph. The foregoing procedure shall not apply to release of a
47 minor pursuant to the protective custody provisions of the social services law
48 and the family court act.

49 d. Absence for any of the below reasons shall be excused by the school for
50 up to three days per marking period:

51 (i) Physical or mental illness

52 (ii) Any other reason deemed fit by the school district

53

54 **Justification**

55 This bill is important because nearly half (49%) of high school students reported
56 feeling extreme stress on a daily basis (NYU Study). Excessive stress can lead to
57 lifelong illnesses such as auto-immune disorders. To reduce the stress, letting
58 students take mental health days would greatly allow them to catch up on work and
59 manage their time. Moreover, in the United States, almost half of adults (46.4
60 percent) will experience a mental illness during their lifetime. It would give a
61 substantial opportunity for those with mental illness to thrive in the school
62 atmosphere by taking a day off when needing to recalibrate. This bill will also
63 promote openness in regard to mental health, helping millions of students who
64 struggle with it find aid more easily. Fighting mental illness is an important step for
65 modern society, and it begins at the school level, helping students succeed.

66

67 **Fiscal Implications**

68 There are minimal fiscal implications for this bill due to the fact that changing
69 attendance has no monetary cost.

70

71 **Enviornmental Implications**

72 There are minimal environmental implications to this bill.

73

74 **Effective Date**

75 This bill will go into effect on July 1st, 2020.