S T A T E O F N E W Y O R K

5254

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

Introduced by Sen. FLANAGAN -- 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 special education services and programs for preschool children with handicapping conditions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph d of subdivision 5 of section 4410 of the education law, as amended by chapter 693 of the laws of 1993, is amended to read as follows:

d. If the board disagrees with the recommendation of the committee, it shall set forth in writing a statement of its reasons and send the recommendation back to the committee, a notice of which shall be furnished to the preschool child's parent and the municipality in which the preschool child resides. In the event a board refers the recommendation back to the committee for reconsideration, the board shall also notify the parent and the committee in writing of the need to schedule a meeting to ensure timely placement. If the determination is for two or more related services, where possible, the board shall select from the list maintained by the municipality pursuant to paragraph c of subdivision nine of this section such related service providers that are employed by a single agency for the provision of such services. The board shall provide each related service provider with [a copy of the individualized education program and] the name and location of each related service provider AND A COPY OF THE INDIVIDUALIZED EDUCATION PROGRAM OR SUCH SERVICE PROVIDER SHALL BE ABLE TO ACCESS SUCH STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM ELECTRONICALLY; PROVIDED, HOWEVER, IF THE POLICY PROVIDES THAT THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM IS TO BE ACCESSED ELECTRONICALLY, THEN SUCH POLICY SHALL ALSO ENSURE THAT THE INDIVIDUALS RESPONSIBLE FOR THE IMPLEMENTATION OF A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM SHALL BE NOTIFIED AND TRAINED ON HOW TO

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

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ACCESS SUCH INDIVIDUALIZED EDUCATION PROGRAMS ELECTRONICALLY. The board shall designate one of the service providers to coordinate the provision of the related services. If the determination is for special education itinerant services and one or more related services, the special education itinerant service provider shall be responsible for the coordination of such services pursuant to regulations of the commissioner.

S 2. This act shall take effect immediately.