

STATE OF NEW YORK

6273

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sen. FELDER -- 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 approved costs of providing special education services to children with handicapping conditions in preschool

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

1 Section 1. Subdivision 10 of section 4410 of the education law is
2 amended by adding a new paragraph f to read as follows:

3 f. Notwithstanding any other provision of law to the contrary,
4 commencing with the two thousand eleven--two thousand twelve school
5 year, reimbursement shall be made for the costs of certain property and
6 non-direct care service costs associated with identified space directly
7 related to special education itinerant services and used to ensure that
8 the child receiving such services derives the fullest educational bene-
9 fit. Such costs shall include those associated with discrete, specific
10 space located outside of the classroom but within the proximity of such
11 classroom where the special education itinerant services are provided.
12 Use of such space shall be reasonable and necessary and shall be consid-
13 ered an essential program expense for students diagnosed with autism
14 spectrum disorder. Such costs shall be calculated and reimbursed using
15 an allocation methodology as determined by the commissioner's represen-
16 tatives and shall include mortgage interest, depreciation, storage,
17 housekeeping and supplies, and non-direct care personal services costs
18 associated with maintenance employees. All such costs shall be properly
19 documented. Such non-direct care services costs shall be reasonable and
20 necessary.

21 § 2. This act shall take effect immediately and shall be deemed to
22 have been in full force and effect on and after July 1, 2011.

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

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