

10508

I N A S S E M B L Y

April 2, 2010

Introduced by M. of A. PAULIN, WEISENBERG -- Multi-Sponsored by -- M. of A. MAYERSOHN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to including school bus attendants among services considered by committees on special education

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

1 Section 1. Section 3635 of the education law is amended by adding a
2 new subdivision 8 to read as follows:

3 8. NOTWITHSTANDING ANY LAW TO THE CONTRARY, A SCHOOL DISTRICT'S
4 COMMITTEE ON SPECIAL EDUCATION AND MULTIDISCIPLINARY TEAM PURSUANT TO
5 SECTION FIVE HUNDRED FOUR OF THE REHABILITATION ACT OF NINETEEN HUNDRED
6 SEVENTY-THREE MUST CONSIDER THE PROVISION OF A BUS ATTENDANT, AS DEFINED
7 BY SECTION TWELVE HUNDRED TWENTY-NINE-D OF THE VEHICLE AND TRAFFIC LAW,
8 FOR ALL ELIGIBLE STUDENTS WHOSE MANAGEMENT NEEDS REQUIRE ADDITIONAL
9 ADULT SUPERVISION AND SUPPORT IN ORDER TO BENEFIT FROM TRANSPORTATION TO
10 AND FROM SCHOOLS AND BETWEEN SCHOOLS. THE COMMITTEE ON SPECIAL EDUCATION
11 AND MULTIDISCIPLINARY TEAM MUST INDICATE ON THE INDIVIDUALIZED EDUCATION
12 PROGRAM OR SECTION FIVE HUNDRED FOUR ACCOMMODATION PLAN IF THE BUS
13 ATTENDANT MUST BE PROVIDED ON AN INDIVIDUALIZED BASIS OR WHETHER THE
14 SERVICES OF THE ATTENDANT COULD BE PROVIDED TO THE STUDENT WITH OTHER
15 STUDENTS WHO REQUIRE A BUS ATTENDANT.

16 S 2. Subparagraph 3 of paragraph b of subdivision 1 of section 4402 of
17 the education law is amended by adding a new clause (m) to read as
18 follows:

19 (M) CONSIDER THE PROVISION OF A BUS ATTENDANT, AS DEFINED BY SECTION
20 TWELVE HUNDRED TWENTY-NINE-D OF THE VEHICLE AND TRAFFIC LAW, FOR ALL
21 ELIGIBLE STUDENTS WHOSE MANAGEMENT NEEDS REQUIRE ADDITIONAL ADULT SUPER-
22 VISION AND SUPPORT IN ORDER TO BENEFIT FROM TRANSPORTATION TO AND FROM
23 SCHOOLS AND BETWEEN SCHOOLS. THE COMMITTEE ON SPECIAL EDUCATION AND
24 MULTIDISCIPLINARY TEAM MUST INDICATE ON THE INDIVIDUALIZED EDUCATION
25 PROGRAM OR SECTION FIVE HUNDRED FOUR ACCOMMODATION PLAN IF THE BUS
26 ATTENDANT MUST BE PROVIDED ON AN INDIVIDUALIZED BASIS OR WHETHER THE
27 SERVICES OF THE ATTENDANT COULD BE PROVIDED TO THE STUDENT WITH OTHER
28 STUDENTS WHO REQUIRE A BUS ATTENDANT.

29 S 3. This act shall take effect immediately.

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