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

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:

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

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

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

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

S 3. This act shall take effect immediately.

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

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