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

2638

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. PRETLOW, WEISENBERG, COOK -- Multi-Sponsored by -- M. of A. BRENNAN, CLARK, ENGLEBRIGHT, GREENE, SEMINERIO, WEINSTEIN, WRIGHT -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to providing for an office of special education services to administer programs for children with disabilities

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

Section 1. The education law is amended by adding a new section 4411 to read as follows:

S 4411. OFFICE OF SPECIAL EDUCATION SERVICES. 1. THERE IS HEREBY CREATED IN THE DEPARTMENT AN OFFICE OF SPECIAL EDUCATION SERVICES. THE HEAD OF THE OFFICE SHALL BE AN ASSISTANT COMMISSIONER WHO SHALL BE APPOINTED BY THE BOARD OF REGENTS AND WHO SHALL HOLD OFFICE AT THE PLEASURE OF THE BOARD OF REGENTS.

2. THE OFFICE OF SPECIAL EDUCATION SERVICES SHALL BE THE PRINCIPAL AGENCY FOR ADMINISTERING AND CONVEYING THE PROVISIONS OF THIS ARTICLE RELATING TO PROGRAMS AND ACTIVITIES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES.

3. THE ASSISTANT COMMISSIONER APPOINTED PURSUANT TO THIS SECTION SHALL DIRECT THE WORK OF THE OFFICE AND SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE OFFICE REPORTING DIRECTLY TO THE COMMISSIONER. SUCH ASSISTANT COMMISSIONER MAY APPOINT SUCH OFFICERS AND EMPLOYEES AS HE OR SHE MAY DEEM NECESSARY, PRESCRIBE THEIR DUTIES, FIX THEIR COMPENSATION, AND PROVIDE FOR THE REIMBURSEMENT OF THEIR EXPENSES, ALL WITHIN AMOUNTS MADE AVAILABLE THEREFOR BY STATE AND FEDERAL APPROPRIATIONS; PROVIDED THAT THERE SHALL BE NOT LESS THAN SIX OFFICERS CONSISTING OF THREE DIVISION DIRECTORS AND THREE BUREAU CHIEFS TO ASSIST THE ASSISTANT COMMISSIONER.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

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

LBD02622-01-9