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

4075

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. THIELE, TEDISCO, CONTE, McDONOUGH, P. LOPEZ -- Multi-Sponsored by -- M. of A. AMEDORE, CROUCH, KOLB, MOLINARO, OAKS, RAIA, TOWNSEND -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the powers of the commissioner of education pertaining to individualized education programs

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

Section 1. Section 305 of the education law is amended by adding a new subdivision 42 to read as follows:

42. THE COMMISSIONER SHALL IMPLEMENT REGULATIONS DIRECTING SCHOOL DISTRICTS TO EVALUATE STUDENTS WHO HAVE INDIVIDUALIZED EDUCATION PROGRAMS AND WHO ALSO REQUIRE ACADEMIC INTERVENTION SERVICES, TO DETERMINE WHICH SERVICES, IF ANY, ARE BEING REPEATED BY BOTH THE PROGRAM AND THE SERVICES. THE COMMISSIONER SHALL PROVIDE THAT IF A SCHOOL DISTRICT DETERMINES THAT AN INDIVIDUALIZED EDUCATION PROGRAM AND THE ACADEMIC INTERVENTION SERVICES REQUIRE THE SAME TASK OR SERVICE, THE SCHOOL DISTRICT SHALL NOT BE REQUIRED TO IMPLEMENT SUCH TASK OR PROVIDE SUCH SERVICE MORE THAN ONCE TO THE STUDENT.

S 2. 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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