

5904

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. TITONE, CUSICK, REILLY, FIELDS, ORTIZ, GABRYSZAK,
KOON, SCHROEDER, WEISENBERG, COLTON -- Multi-Sponsored by -- M. of A.
BENEDETTO, EDDINGTON, JOHN, PHEFFER, SWEENEY, TOWNS -- read once and
referred to the Committee on Education

AN ACT to amend the education law, in relation to children with disabili-
ties placed in out-of-state facilities

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

1 Section 1. Section 4401 of the education law is amended by adding a
2 new subdivision 12 to read as follows:

3 12. NOTWITHSTANDING ANY INCONSISTENT PROVISIONS OF THIS ARTICLE, WHERE
4 A CHILD WITH A DISABILITY IS PLACED IN AN OUT-OF-STATE FACILITY, AS
5 APPROVED BY THE COMMISSIONER, THE STATE SHALL PROVIDE FOR ALL SPECIAL
6 SERVICES OR PROGRAMS AS DEFINED IN PARAGRAPH A OF SUBDIVISION TWO OF
7 THIS SECTION.

8 S 2. This act shall take effect on the first of September next
9 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.

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