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

5015

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sens. STACHOWSKI, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to establishing the over-age and under-credited or out of school student program

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 article 100 to read as follows:

ARTICLE 100

OVER-AGE AND UNDER-CREDITED OR OUT OF SCHOOL STUDENTS

SECTION 4950. OVER-AGE AND UNDER-CREDITED OR OUT OF SCHOOL STUDENT PROGRAM.

S 4950. OVER-AGE AND UNDER-CREDITED OR OUT OF SCHOOL STUDENT PROGRAM. 1. THE COMMISSIONER IS HEREBY DIRECTED TO CREATE AND ESTABLISH A PROGRAM THAT ENABLES OVER-AGE AND UNDER-CREDITED OR OUT OF SCHOOL YOUTHS IN NEW YORK STATE TO OBTAIN A HIGH SCHOOL DIPLOMA OR THE EQUIVALENT. THIS PROGRAM SHALL BE SEPARATE AND APART FROM THE HIGH SCHOOL EQUIVALENCY PROGRAM ESTABLISHED IN 8 NYCRR 100.7 AND THE EMPLOYMENT PREPARATION EDUCATION PROGRAM ESTABLISHED IN 8 NYCRR 168.

2. STUDENTS WHO ARE NO LONGER OF COMPULSORY SCHOOL AGE WHO VOLUNTARILY WITHDRAW FROM SCHOOL ENROLLMENT SHALL BE OFFERED APPROPRIATE PROGRAMMING FOR PURSUIT AND COMPLETION OF A GENERAL EDUCATION DIPLOMA (GED).

3. THE DEPARTMENT SHALL RECOGNIZE AND ALLOW GED CREDENTIALING FOR OVER-AGE AND UNDER-CREDITED OR OUT OF SCHOOL YOUTHS WHO ARE NO LONGER OF COMPULSORY SCHOOL AGE.

4. IN ANTICIPATION OF FORTHCOMING CHANGES TO THE FEDERAL NO CHILD LEFT BEHIND ACT THE DEPARTMENT SHALL PROPOSE THAT SUCH ACTIONS BE CONSIDERED UNDER THE NEW YORK STATE EDUCATION ACCOUNTABILITY SYSTEM AS A VALUED OUTCOME OTHER THAN A NON-COMPLETER.

S 2. This act shall take effect April 1, 2010; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.

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

LBD05193-01-9