

5784

2009-2010 Regular Sessions

I N S E N A T E

June 4, 2009

Introduced by Sens. SAVINO, GOLDEN -- 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 reimbursement of
certain transportation costs provided by the district for public and
non-public schools

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

1 Section 1. Section 3635 of the education law is amended by adding a
2 new subdivision 8 to read as follows:
3 8. A. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE
4 CONTRARY, ANY CITY SCHOOL DISTRICT WHICH SHALL BE AIDABLE IN A CITY
5 HAVING A POPULATION IN EXCESS OF ONE MILLION OR MORE INHABITANTS PROVID-
6 ING TRANSPORTATION PURSUANT TO THIS CHAPTER SHALL BE RESPONSIBLE FOR
7 PAYING DIRECTLY TO PUBLIC AND NON-PUBLIC SCHOOLS THE COST INCURRED BY
8 PUBLIC AND NON-PUBLIC SCHOOLS OF PROVIDING TRANSPORTATION FOR THOSE
9 CHILDREN ATTENDING SUCH PUBLIC AND NON-PUBLIC SCHOOLS IN GRADES KINDER-
10 GARTEN THROUGH SIX WHO REMAIN AT THE SAME SCHOOL FOR WHICH THEY ARE
11 ENROLLED FOR REGULARLY SCHEDULED ACADEMIC CLASSES UNTIL FIVE O'CLOCK IN
12 THE AFTERNOON, OR LATER, ON WEEKDAYS AND RESIDE AT LEAST ONE-HALF MILE
13 FROM THEIR SCHOOL OF ATTENDANCE FOR GRADES KINDERGARTEN THROUGH TWO, AND
14 AT LEAST ONE MILE FROM THEIR SCHOOL OF ATTENDANCE FOR GRADES THREE
15 THROUGH SIX. ALL SUCH TRANSPORTATION FOR CHILDREN IN GRADES KINDERGAR-
16 TEN THROUGH GRADE SIX SHALL BE PROVIDED ON SCHOOL BUSES.
17 B. THE COST TO THE CITY SCHOOL DISTRICT WHICH SHALL BE AIDABLE OF
18 PROVIDING SUCH TRANSPORTATION SHALL BE CONSIDERED FOR THE PURPOSES OF
19 THIS CHAPTER TO BE A CHARGE UPON THE CITY SCHOOL DISTRICT AND AN ORDI-
20 NARY CONTINGENT EXPENSE TO THE CITY SCHOOL DISTRICT, SO LONG AS SUCH
21 CHILD OR CHILDREN SHALL BE OTHERWISE ELIGIBLE FOR THE PROVISION OF
22 TRANSPORTATION PURSUANT TO THIS SECTION, AND THE PARENT OR GUARDIAN OR
23 ANY REPRESENTATIVE AUTHORIZED BY SUCH PARENT OR GUARDIAN SHALL HAVE
24 NOTIFIED THE CITY SCHOOL DISTRICT IN WRITING IN THE SAME MANNER AND UPON

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

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1 THE SAME DATES AS ARE REQUIRED FOR A REQUEST FOR TRANSPORTATION PURSUANT
2 TO SUBDIVISION TWO OF THIS SECTION WITH NO OPTION TO REQUEST TRANSPORTA-
3 TION STATE AID PURSUANT TO THIS CHAPTER FOR SUCH CHILDREN IN THE SAME
4 MANNER AND AT THE SAME RATE AS IF SUCH CHILDREN RECEIVED TRANSPORTATION
5 SERVICES OTHERWISE AUTHORIZED BY THIS SECTION.
6 C. SUCH CITY SCHOOL DISTRICT WHICH SHALL BE AIDABLE SHALL NOT BE
7 REQUIRED TO REIMBURSE PUBLIC OR NON-PUBLIC SCHOOLS IN AN AMOUNT THAT
8 DOES NOT EXCEED THE AMOUNT SUCH DISTRICT WOULD OTHERWISE EXPEND TO
9 PROVIDE TRANSPORTATION SERVICES FOR SUCH CHILDREN IF SUCH DISTRICT WERE
10 PROVIDING TRANSPORTATION DIRECTLY.
11 S 2. This act shall take effect July 1, 2009 and shall apply to all
12 schools in existence as of the date of the start of the 2010-2011 school
13 year.