

2009-2010 Regular Sessions

I N S E N A T E

January 22, 2009

Introduced by Sens. C. JOHNSON, DIAZ, DUANE, ONORATO, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law and the state finance law, in relation to identifying the incidence and needs of those affected by autism spectrum disorder in this state and requiring training of education personnel

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

- 1 Section 1. 1. The department of health, in conjunction with the office
2 of mental health, the office of mental retardation and developmental
3 disabilities, the commission on quality care and advocacy for persons
4 with disabilities and the state education department shall collabora-
5 tively with local entities engage in a study of the incidences of autism
6 spectrum disorders in New York state. Such study shall include recent
7 clinical observations in children diagnosed with autism spectrum disor-
8 ders, environmental factors associated with autism spectrum disorders,
9 the number of children currently receiving services, educational records
10 of affected students and any other topic related to autism spectrum
11 disorders which are deemed relevant.
- 12 2. Not later than one year after the effective date of this act, the
13 department of health shall prepare a report setting forth and evaluating
14 the findings of the study. Such report shall include, but need not be
15 limited to:
- 16 (a) an assessment of the extent of the rising incidence of autism
17 spectrum disorders;
- 18 (b) an assessment and suggestion for improving available options for
19 persons diagnosed with autism spectrum disorders; and
- 20 (c) an assessment of the success of any local or statewide programs
21 which are engaged in the study and/or treatment of autism spectrum
22 disorders.

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

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1 S 2. Section 4402 of the education law is amended by adding a new
2 subdivision 8 to read as follows:

3 8. THE BOARD OF EDUCATION OR TRUSTEES OF EACH SCHOOL DISTRICT AND THE
4 CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK SHALL PROVIDE AND REQUIRE A
5 PROGRAM OF EDUCATION AND TRAINING FOR SCHOOL DISTRICT PERSONNEL INCLUD-
6 ING TEACHERS, PARA-PROFESSIONALS, CUSTODIANS AND BUS DRIVERS ON THE
7 SPECIFIC NEEDS OF CHILDREN WITH AUTISM SPECTRUM DISORDERS. SUCH PROGRAMS
8 SHALL INCLUDE INSTRUCTION IN THE SPECIFIC NEEDS OF CHILDREN WITH AUTISM
9 SPECTRUM DISORDERS AND METHODS OF PROPERLY INTERACTING WITH SUCH
10 STUDENTS. SUCH TRAINING MAY BE PROVIDED THROUGH A BOARD OF COOPERATIVE
11 EDUCATION SERVICES, THROUGH PROGRAMS PROVIDED BY OTHER DISTRICTS OR
12 OTHER APPROVED PROGRAMS.

13 S 3. Subdivision 3 of section 95-e of the state finance law, as added
14 by chapter 301 of the laws of 2004, is amended to read as follows:

15 3. (a) Monies of the fund shall be expended only for autism awareness
16 projects [or], autism research projects OR OUTREACH PROGRAMS FOR SCHOOL
17 DISTRICTS AND COMMUNITY ORGANIZATIONS WHICH PROVIDE AFTER-SCHOOL
18 PROGRAMS, SOCIAL EVENT AND SUMMER CAMP PROGRAMS FOR CHILDREN AND FAMI-
19 LIES OF CHILDREN WITH AUTISM SPECTRUM DISORDERS approved by the depart-
20 ment of health in New York state provided, however, that no more than
21 ten percent of monies from such fund shall be expended on the aggregate
22 number of autism research projects approved in a fiscal year.

23 (b) As used in this section, the term "autism research project" means
24 scientific research approved by the department of health into the causes
25 and/or treatment of autism, and the term "autism awareness project"
26 means a project approved by the department of health aimed toward
27 educating the general public about the causes, symptoms, and treatments
28 of autism. THE TERM "AUTISM SPECTRUM DISORDER" MEANS A NEUROBIOLOGICAL
29 CONDITION THAT INCLUDES AUTISM, ASPERGER SYNDROME, RETT'S SYNDROME, OR
30 PERVASIVE DEVELOPMENTAL DISORDER.

31 S 4. This act shall take effect on the first of January next succeed-
32 ing the date on which it shall have become a law.