

2241

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. SCHROEDER -- read once and referred 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new article 100 to
2 read as follows:

3 ARTICLE 100

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

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

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

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

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

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

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

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

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

LBD05193-01-9