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

2336--A

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. SCHIMEL -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to student transportation

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

Section 1. Section 3635 of the education law is amended by adding a new subdivision 8 to read as follows:

8. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION, IN SCHOOL DISTRICTS HAVING AN AREA OF FORTY SQUARE MILES OR LESS, IF THE BOARD OF EDUCATION DETERMINES, BASED UPON HISTORY AND EXPERIENCE, THAT THERE IS A CONSISTENT PATTERN OF ELIGIBLE PUPILS NOT USING THE TRANSPORTATION PROVIDED BY THE DISTRICT, THE BOARD, IN ITS DISCRETION, MAY ENACT A POLICY TO PROVIDE STUDENT TRANSPORTATION BASED UPON PATTERNS OF ACTUAL RIDERSHIP WITHOUT REGARD TO:

A. THE NUMBER OF STUDENTS ELIGIBLE FOR TRANSPORTATION; AND

B. THE NUMBER OF SEATS THAT WOULD OTHERWISE BE REQUIRED FOR THEM UNDER PARAGRAPH A OF SUBDIVISION ONE OF THIS SECTION.

S 2. This act shall take effect immediately.

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

LBD04341-03-9