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

5904

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. TITONE, CUSICK, REILLY, FIELDS, ORTIZ, GABRYSZAK, KOON, SCHROEDER, WEISENBERG, COLTON -- Multi-Sponsored by -- M. of A. BENEDETTO, EDDINGTON, JOHN, PHEFFER, SWEENEY, TOWNS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to children with disabilities placed in out-of-state facilities

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

Section 1. Section 4401 of the education law is amended by adding a new subdivision 12 to read as follows:

12. NOTWITHSTANDING ANY INCONSISTENT PROVISIONS OF THIS ARTICLE, WHERE A CHILD WITH A DISABILITY IS PLACED IN AN OUT-OF-STATE FACILITY, AS APPROVED BY THE COMMISSIONER, THE STATE SHALL PROVIDE FOR ALL SPECIAL SERVICES OR PROGRAMS AS DEFINED IN PARAGRAPH A OF SUBDIVISION TWO OF THIS SECTION.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

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

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