

5904

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 23, 2009

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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 disabili-  
ties placed in out-of-state facilities

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

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

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

8     S 2. This act shall take effect on the first of September next  
9 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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