

7390

2009-2010 Regular Sessions

I N   A S S E M B L Y

April 2, 2009

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Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing the education equity act

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

1     Section 1. This act shall be known and may be cited as the "education  
2 equity act".

3     S 2. The education law is amended by adding a new article 66 to read  
4 as follows:

5                                     ARTICLE 66

6                                     EDUCATION EQUITY ACT

7 SECTION 3300. DEFINITIONS.

8             3301. SCHOOL-BASED LANGUAGE ASSISTANCE PLANS.

9             3302. DETERMINATION OF PRIMARY LANGUAGE.

10            3303. INTERPRETATION SERVICES REQUIRED.

11            3304. TRANSLATION SERVICES REQUIRED.

12            3305. NOTICE TO PARENTS AND GUARDIANS.

13            3306. CERTIFICATION OF TRANSLATION.

14            3307. DEPARTMENT OF EDUCATION WEBSITE.

15            3308. REPORTING.

16            3309. GENERAL PROVISIONS.

17     S 3300. DEFINITIONS. WHEREVER USED IN THIS ARTICLE, THE FOLLOWING  
18 TERMS SHALL HAVE THE RESPECTIVE MEANINGS HEREINAFTER SET FORTH OR INDI-  
19 CATED:

20     1. COVERED LANGUAGES. THE TERM "COVERED LANGUAGES" MEANS TWO OF THE  
21 MOST COMMONLY SPOKEN LANGUAGES, OTHER THAN ENGLISH, BEING SPOKEN BY AT  
22 LEAST TWO PERCENT, ROUNDED TO THE NEAREST PERCENTILE, OF THE POPULATION  
23 IN A SCHOOL DISTRICT WITHIN A CITY, VILLAGE OR TOWN HAVING A POPULATION  
24 OF LESS THAN ONE HUNDRED TWENTY-FIVE THOUSAND INHABITANTS, TWO OF THE  
25 MOST COMMONLY SPOKEN LANGUAGES, OTHER THAN ENGLISH, BEING SPOKEN BY AT

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

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1 LEAST TWO PERCENT, ROUNDED TO THE NEAREST PERCENTILE, OF THE POPULATION  
2 IN A SCHOOL DISTRICT WITHIN A CITY HAVING A POPULATION OF ONE HUNDRED  
3 TWENTY-FIVE THOUSAND INHABITANTS OR MORE, EIGHT OF THE MOST COMMONLY  
4 SPOKEN LANGUAGES, OTHER THAN ENGLISH, BEING SPOKEN IN A COMMUNITY  
5 DISTRICT, AS DEFINED IN ARTICLE FIFTY-TWO-A OF THIS CHAPTER, WITHIN A  
6 CITY HAVING A POPULATION OF ONE MILLION OR MORE INHABITANTS. SUCH INFOR-  
7 MATION SHALL BE REPORTED BY A SOURCE DEEMED RELIABLE BY THE LOCAL  
8 DEPARTMENT OF EDUCATION, EXCEPT THAT IN A CITY HAVING A POPULATION OF  
9 ONE MILLION OR MORE INHABITANTS, SUCH INFORMATION SHALL BE DEEMED RELI-  
10 ABLE BY THE NEW YORK CITY DEPARTMENT OF CITY PLANNING OR SUCH OTHER CITY  
11 AGENCY AS THE NEW YORK CITY DEPARTMENT OF EDUCATION DEEMS A RELIABLE  
12 SOURCE OF SUCH INFORMATION.

13 2. PRIMARY LANGUAGE. THE TERM "PRIMARY LANGUAGE" MEANS THE PRIMARY  
14 LANGUAGE SPOKEN BY A STUDENT'S PARENTS OR GUARDIANS, AS EXPRESSED TO THE  
15 DEPARTMENT BY SUCH PARENTS OR GUARDIANS.

16 3. SCHOOL DISTRICT. THE TERM "SCHOOL DISTRICT" MEANS EACH SCHOOL  
17 DISTRICT WITHIN THE STATE OF NEW YORK INCLUDING THOSE WITHIN A CITY  
18 HAVING A POPULATION OF ONE HUNDRED TWENTY-FIVE THOUSAND OR MORE INHABIT-  
19 ANTS AND EACH COMMUNITY DISTRICT OF THE CITY DISTRICT, AS DEFINED IN  
20 ARTICLE FIFTY-TWO-A OF THIS CHAPTER. SCHOOL DISTRICT FURTHER MEANS THE  
21 OFFICE OR AGENCY DESIGNATED BY THE SCHOOL DISTRICT TO ADMINISTER THE  
22 PROGRAM SET FORTH IN THIS ARTICLE.

23 4. SCHOOL. THE TERM "SCHOOL" MEANS ANY PUBLIC SCHOOL WITHIN THE JURIS-  
24 DICTION OF ANY SCHOOL DISTRICT AS DEFINED IN SUBDIVISION THREE OF THIS  
25 SECTION.

26 5. TRANSLATION. THE TERM "TRANSLATION" MEANS THE ACT OF COMMUNICATION  
27 BETWEEN SPEAKERS OF TWO OR MORE COVERED LANGUAGES WHEREIN THE WRITTEN  
28 WORDS OF ONE PERSON ARE COMMUNICATED TO OTHERS IN WRITING IN A DIFFERENT  
29 LANGUAGE.

30 S 3301. SCHOOL-BASED LANGUAGE ASSISTANCE PLANS. EACH SCHOOL DISTRICT  
31 SHALL ANNUALLY PREPARE A LANGUAGE ASSISTANCE PLAN WHICH SHALL CONTAIN,  
32 AT A MINIMUM, AN ASSESSMENT OF THE LANGUAGE ASSISTANCE NEEDS OF THE  
33 SCHOOL DISTRICT, THE ABILITY OF THE SCHOOL DISTRICT TO FULFILL SUCH  
34 NEEDS AND THE RESOURCES REQUIRED FOR THE SCHOOL DISTRICT TO FULFILL SUCH  
35 NEEDS. EACH SCHOOL DISTRICT SHALL COLLECT AND REVIEW SUCH LANGUAGE  
36 ASSISTANCE PLANS AT A DATE SUFFICIENTLY EARLY IN EACH FISCAL YEAR TO BE  
37 ABLE TO CONSIDER THE CONTENTS OF SUCH PLANS IN FORMULATING SCHOOL-BASED  
38 BUDGETS FOR THE COMING FISCAL YEAR.

39 S 3302. DETERMINATION OF PRIMARY LANGUAGE. EACH SCHOOL DISTRICT SHALL  
40 DETERMINE, UPON ENROLLMENT OR WITHIN THIRTY DAYS OF ENROLLMENT, THE  
41 PRIMARY LANGUAGE SPOKEN BY THE PARENTS OR GUARDIANS OF EACH STUDENT  
42 ENROLLED IN A PUBLIC SCHOOL WITHIN SUCH DISTRICT AND WHETHER, IF SUCH  
43 LANGUAGE IS NOT ENGLISH, SUCH PARENT OR GUARDIAN REQUIRES LANGUAGE  
44 ASSISTANCE SERVICES IN ORDER TO COMMUNICATE EFFECTIVELY WITH THE SCHOOL  
45 DISTRICT.

46 S 3303. INTERPRETATION SERVICES REQUIRED. 1. EACH SCHOOL DISTRICT  
47 SHALL ENSURE THAT DURING REGULAR BUSINESS HOURS A SUFFICIENT NUMBER OF  
48 INDIVIDUALS ARE AVAILABLE BY TELEPHONE TO PROVIDE INTERPRETATION  
49 SERVICES IN EACH OF THE COVERED LANGUAGES TO MEET THE EXPECTED NEEDS OF  
50 PARENTS OR GUARDIANS WHO SEEK TO COMMUNICATE WITH THEIR CHILD'S SCHOOL.  
51 WHERE RESOURCES ALLOW, SUCH SERVICES SHALL ALSO BE AVAILABLE THROUGH  
52 STAFF MEMBERS WHO SHALL BE PRESENT AT SCHOOLS, REGIONAL OR OTHER DEPART-  
53 MENTAL OFFICES, AND OTHER LOCATIONS WHERE PARENTS AND GUARDIANS MAY  
54 INTERACT WITH THE SCHOOL DISTRICT, BUT MAY BE PROVIDED AT SUCH LOCATIONS  
55 BY TELEPHONE IN THE EVENT THAT A PERSON FLUENT IN THE NECESSARY COVERED  
56 LANGUAGE IS NOT AVAILABLE AT SUCH LOCATION.

2. FOR CITIES HAVING A POPULATION OF ONE MILLION OR MORE INHABITANTS, THE DEPARTMENT SHALL PROVIDE INTERPRETATION SERVICES AT MEETINGS OF THE PANEL FOR EDUCATIONAL POLICY EVENTS AT WHICH FOUR HUNDRED OR MORE PERSONS ARE EXPECTED TO ATTEND AND MEETINGS OR EVENTS AT WHICH THE DEPARTMENT REASONABLY BELIEVES THAT TEN PERCENT OR MORE OF THE PERSONS EXPECTED TO ATTEND SPEAK PRIMARY LANGUAGES THAT ARE COVERED LANGUAGES OTHER THAN ENGLISH. SUCH INTERPRETATION SERVICES SHALL BE PROVIDED IN WHICHEVER OF THE COVERED LANGUAGES THE DEPARTMENT EXPECTS WILL BE SPOKEN AS THE PRIMARY LANGUAGE OF THE PERSONS ATTENDING SUCH MEETING OR EVENT.

S 3304. TRANSLATION SERVICES REQUIRED. 1. EACH SCHOOL DISTRICT SHALL TRANSLATE THE FOLLOWING DOCUMENTS INTO EACH OF THE COVERED LANGUAGES AND DISSEMINATE SUCH DOCUMENTS TO EACH PUBLIC SCHOOL WITHIN SUCH DISTRICT FOR DISSEMINATION TO PARENTS AND GUARDIANS IN WHICHEVER OF THE COVERED LANGUAGES, IF ANY, IS THEIR PRIMARY LANGUAGE, AS DETERMINED BY SUCH DISTRICT PURSUANT TO SECTION THIRTY-THREE HUNDRED TWO OF THIS ARTICLE:

A. THE STANDARDIZED TEXT ON REPORT CARDS AND PERMISSION SLIPS; AND

B. DOCUMENTS DISSEMINATED TO ONE THOUSAND OR MORE PARENTS OR GUARDIANS THAT REQUIRE A PARENT OR GUARDIAN TO RESPOND TO THE DEPARTMENT, OR THAT REQUIRE A PARENT OR GUARDIAN TO TAKE AN ACTION IN ORDER TO OBTAIN OR PRESERVE A RIGHT OR BENEFIT WITH RESPECT TO THEIR CHILD'S EDUCATION, OR THAT PROVIDE NOTIFICATION OF AN UPCOMING EVENT THAT CONCERNS THEIR CHILD'S EDUCATION.

2. WITH RESPECT TO ANY DOCUMENT THAT THE SCHOOL DISTRICT PRODUCES FOR DISTRIBUTION TO ALL OR SUBSTANTIALLY ALL PARENTS AND GUARDIANS OF STUDENTS IN SUCH SCHOOL DISTRICT AND THAT IT DOES NOT DISTRIBUTE TO ALL PARENTS OR GUARDIANS IN THE PRIMARY LANGUAGE OF SUCH PARENTS OR GUARDIANS, AS DETERMINED BY THE SCHOOL DISTRICT PURSUANT TO SECTION THIRTY-THREE HUNDRED TWO OF THIS ARTICLE, AND WHICH DOCUMENT CONCERNS DISCIPLINE OR STUDENTS' HEALTH, SAFETY, RIGHT TO ATTEND SCHOOL OR ANY OTHER LEGAL RIGHT GRANTED TO STUDENTS OR TO THE PARENTS OR GUARDIANS BY LOCAL, CITY, STATE OR FEDERAL LAW, THE SCHOOL DISTRICT SHALL PROVIDE EITHER A COVER LETTER OR A STATEMENT ON THE FACE OF SUCH DOCUMENT, INDICATING IN EACH COVERED LANGUAGE HOW TO OBTAIN A FREE TRANSLATION OR INTERPRETATION OF SUCH DOCUMENT FROM THE SCHOOL DISTRICT.

3. WITH RESPECT TO ANY DOCUMENT NOT PREPARED FOR BROAD DISTRIBUTION THAT CONCERNS AN INDIVIDUAL STUDENT'S HEALTH, SAFETY, LEGAL OR DISCIPLINARY MATTER, RIGHT TO CONTINUE TO RECEIVE PUBLIC EDUCATION OR PLACEMENT IN ANY SPECIAL EDUCATION, ENGLISH LANGUAGE LEARNER OR NON-STANDARD ACADEMIC PROGRAM THE SCHOOL DISTRICT SHALL, IF NOT REQUIRED TO DO OTHERWISE BY STATE OR FEDERAL LAW, RULE OR REGULATION, PROVIDE SUCH STUDENT'S PARENTS OR GUARDIANS WHOSE PRIMARY LANGUAGE IS A COVERED LANGUAGE OTHER THAN ENGLISH WITH A TRANSLATION OF SUCH DOCUMENT INTO THE APPROPRIATE COVERED LANGUAGE, OR SHALL PROVIDE EITHER A COVER LETTER OR A STATEMENT ON THE FACE OF THE DOCUMENT, INDICATING IN THE APPROPRIATE COVERED LANGUAGE HOW TO OBTAIN A FREE TRANSLATION OR INTERPRETATION OF SUCH DOCUMENT FROM THE SCHOOL DISTRICT.

4. EACH SCHOOL DISTRICT SHALL PROVIDE A MECHANISM BY WHICH ITS PUBLIC SCHOOL EMPLOYEES CAN FAX DOCUMENTS OF A REASONABLE LENGTH TO A PERSON OR SERVICE AND RECEIVE BACK A TRANSLATION OF SUCH DOCUMENTS IN ACCORDANCE WITH THE SENDER'S INSTRUCTIONS. SUCH MECHANISM SHALL BE DESIGNED SUCH THAT, UNDER ORDINARY CIRCUMSTANCES, A PRINCIPAL OR TEACHER CAN OBTAIN A TRANSLATION OF A SINGLE-PAGE NOTE OR LETTER WITHIN TWENTY-FOUR HOURS OR BY THE CONCLUSION OF THE NEXT BUSINESS DAY, WHICHEVER IS LATER.

S 3305. NOTICE TO PARENTS AND GUARDIANS. 1. EACH SCHOOL DISTRICT SHALL PREPARE IN EACH OF THE COVERED LANGUAGES A SHORT, CONCISE DOCUMENT SETTING FORTH THE RIGHTS OF PARENTS AND GUARDIANS WITH RESPECT TO TRANS-

1 LATION AND INTERPRETATION SERVICES AS REQUIRED BY THIS ARTICLE AND BY  
2 ANY OTHER APPLICABLE LAW, RULE OR REGULATION, AND EXPLAINING HOW TO  
3 OBTAIN SUCH SERVICES. SUCH DOCUMENT SHALL BE PROVIDED, IN THE APPROPRI-  
4 ATE COVERED LANGUAGE, IF ANY, TO EACH PARENT OR GUARDIAN WHO, AS DETER-  
5 MINED BY THE LOCAL SCHOOL DISTRICT PURSUANT TO SECTION THIRTY-THREE  
6 HUNDRED TWO OF THIS ARTICLE, REQUIRES LANGUAGE ASSISTANCE SERVICES.  
7 COPIES OF SUCH DOCUMENT IN EACH COVERED LANGUAGE SHALL BE PLACED IN EACH  
8 PUBLIC SCHOOL OR OFFICE TO WHICH THE PUBLIC HAS ACCESS IN SUFFICIENT  
9 QUANTITY THAT IT CAN BE PROVIDED TO ANY MEMBER OF THE PUBLIC WHO ENTERS  
10 SUCH SCHOOL OR OFFICE AND REQUIRES LANGUAGE ASSISTANCE SERVICES.

11 2. A SIGN WRITTEN IN EACH OF THE COVERED LANGUAGES SHALL BE DISPLAYED  
12 IN A CONSPICUOUS LOCATION IN EACH PUBLIC SCHOOL, SCHOOL DISTRICT OFFICE  
13 OR OTHER DEPARTMENTAL OFFICE BUILDING TO WHICH THE PUBLIC HAS ACCESS,  
14 INDICATING THE AVAILABILITY AND LOCATION IN SUCH SCHOOL OR BUILDING OF  
15 THE DOCUMENT REQUIRED PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

16 3. IN THE EVENT THAT THE SCHOOL DISTRICT DETERMINES THAT TEN PERCENT  
17 OR MORE OF THE PARENTS OR GUARDIANS OF THE STUDENTS ATTENDING ANY INDI-  
18 VIDUAL SCHOOL SPEAK A PRIMARY LANGUAGE THAT IS NOT A COVERED LANGUAGE,  
19 THEN AT SUCH INDIVIDUAL SCHOOL, THE DOCUMENT AND SIGN REQUIRED BY THIS  
20 SECTION SHALL BE PREPARED AND MADE AVAILABLE AT SUCH SCHOOL IN SUCH  
21 OTHER LANGUAGE IN ADDITION TO THE COVERED LANGUAGES.

22 S 3306. CERTIFICATION OF TRANSLATION. IN THE SCHOOL DISTRICT'S  
23 DISCRETION, IT MAY SATISFY THE TRANSLATION REQUIREMENTS OF THIS ARTICLE  
24 WITH RESPECT TO ANY DOCUMENT CONCERNING A STUDENT'S EDUCATION THAT MUST  
25 BE COMPLETED WITH INFORMATION PROVIDED BY A PARENT OR GUARDIAN WHOSE  
26 PRIMARY LANGUAGE, AS DETERMINED BY THE SCHOOL DISTRICT PURSUANT TO  
27 SECTION THIRTY-THREE HUNDRED TWO OF THIS ARTICLE, IS NOT THE LANGUAGE IN  
28 WHICH THE DOCUMENT IS PRINTED, IF SUCH DOCUMENT IS COMPLETED BY EITHER A  
29 PARENT OR GUARDIAN OR BY A SCHOOL DISTRICT EMPLOYEE, AND SIGNED BY THE  
30 PARENT OR GUARDIAN, PROVIDED THAT SUCH SCHOOL DISTRICT EMPLOYEE CERTI-  
31 FIES ON THE FACE OF SUCH DOCUMENT OR UPON AN ATTACHED DOCUMENT, IN SUCH  
32 FORM AND MANNER AS DETERMINED BY THE SCHOOL DISTRICT, THAT SUCH EMPLOYEE  
33 PROVIDED OR SECURED INTERPRETATION OR TRANSLATION SERVICES FOR EACH  
34 PARENT OR GUARDIAN SIGNING THE DOCUMENT, THE EMPLOYEE BELIEVES THAT EACH  
35 SUCH PERSON UNDERSTOOD THE PURPOSE OF THE DOCUMENT AND THE INFORMATION  
36 BEING PROVIDED IN THE DOCUMENT AND CONVEYED IN THE INTERPRETATION OR  
37 TRANSLATION AND EACH SUCH PERSON RECEIVED A COPY OF SUCH DOCUMENT AND  
38 SUCH CERTIFICATION.

39 S 3307. DEPARTMENT OF EDUCATION WEBSITE. THE DEPARTMENT SHALL CREATE A  
40 SPECIAL WEBSITE WHICH SHALL CONTAIN, ON ITS HOMEPAGE AND ON SUCH OTHER  
41 WEB PAGES AS THE DEPARTMENT SHALL DETERMINE IS APPROPRIATE, INFORMATION  
42 IN EACH OF THE COVERED LANGUAGES SUFFICIENT TO DIRECT ANY USER WHOSE  
43 PRIMARY LANGUAGE IS A COVERED LANGUAGE OTHER THAN ENGLISH TO A RESOURCE  
44 ON THE DEPARTMENT'S WEBSITE THAT CONTAINS AN EXPLANATION OF THE RIGHTS  
45 OF PARENTS AND GUARDIANS TO TRANSLATION AND INTERPRETATION SERVICES AS  
46 REQUIRED BY THIS ARTICLE AND BY ANY OTHER APPLICABLE LAW, RULE OR REGU-  
47 LATION, AND EXPLAINING HOW TO OBTAIN SUCH SERVICES.

48 S 3308. REPORTING. 1. EXCEPT AS PROVIDED IN SUBDIVISION TWO OF THIS  
49 SECTION, EACH SCHOOL DISTRICT SHALL REPORT ANNUALLY TO THE LOCAL BOARD  
50 OF EDUCATION ON OR BEFORE THE FIRST DAY OF DECEMBER OF EACH YEAR, BEGIN-  
51 NING IN DECEMBER, TWO THOUSAND TEN, THE NUMBER OF PARENTS OR GUARDIANS  
52 WHO HAD CHILDREN IN THE PUBLIC SCHOOL SYSTEM DURING THE IMMEDIATELY  
53 PRECEDING SCHOOL YEAR WHOSE PRIMARY LANGUAGE, AS DETERMINED PURSUANT TO  
54 SECTION THIRTY-THREE HUNDRED TWO OF THIS ARTICLE, WAS NOT ENGLISH, AND,  
55 FOR EACH COVERED LANGUAGE OTHER THAN ENGLISH, THE NUMBER OF SUCH PARENTS  
56 AND GUARDIANS SPEAKING SUCH LANGUAGE.

2. IN CITIES HAVING A POPULATION OF ONE MILLION OR MORE INHABITANTS, EACH COMMUNITY DISTRICT SHALL REPORT TO THE CITY COUNCIL OF THE CITY OF NEW YORK ON OR BEFORE THE FIRST DAY OF DECEMBER OF EACH YEAR, BEGINNING IN DECEMBER, TWO THOUSAND TEN, THE NUMBER OF PARENTS OR GUARDIANS WHO HAD CHILDREN IN THE NEW YORK CITY PUBLIC SCHOOL SYSTEM DURING THE IMMEDIATELY PRECEDING SCHOOL YEAR WHOSE PRIMARY LANGUAGE, AS DETERMINED PURSUANT TO SECTION THIRTY-THREE HUNDRED TWO OF THIS ARTICLE, WAS NOT ENGLISH, AND, OF EACH COVERED LANGUAGE OTHER THAN ENGLISH, THE NUMBER OF SUCH PARENTS AND GUARDIANS SPEAKING SUCH LANGUAGE.

3. SUCH REPORT SHALL ALSO STATE, WITH RESPECT TO SUCH REPORTING PERIOD:

A. NUMBER OF DISTINCT DOCUMENTS THAT THE SCHOOL DISTRICT TRANSLATED INTO THE COVERED LANGUAGES AND THE GENERAL NATURE OF SUCH DOCUMENTS;

B. NUMBER OF MEETINGS AT WHICH THE SCHOOL DISTRICT PROVIDED INTERPRETATION SERVICES AND THE LANGUAGES FOR WHICH IT PROVIDED SUCH SERVICES;

C. ANNUAL BUDGET FOR LANGUAGE ASSISTANCE SERVICES;

D. NUMBER OF EMPLOYEES WHOSE PRIMARY JOB FUNCTION IS TO PROVIDE SUCH LANGUAGE ASSISTANCE SERVICES; AND

E. NUMBER OF TIMES INTERPRETATION SERVICES WERE PROVIDED BY TELEPHONE, AND THE LANGUAGES IN WHICH SUCH SERVICES WERE PROVIDED.

S 3309. GENERAL PROVISIONS. NOTHING IN THIS ARTICLE SHALL:

1. PRECLUDE A PARENT OR GUARDIAN FROM HAVING AN ADULT VOLUNTEER, A RELATIVE SIXTEEN YEARS OF AGE OR OLDER, A SPOUSE OR A DOMESTIC PARTNER PROVIDE TRANSLATION OR INTERPRETATION SERVICES FOR SUCH INDIVIDUAL.

2. BE CONSTRUED AS PREVENTING THE SCHOOL DISTRICT FROM COMPLYING WITH ANY PROVISION OF STATE OR FEDERAL LAW CONCERNING TRANSLATION OR INTERPRETATION.

3. BE CONSTRUED AS PROHIBITING THE SCHOOL DISTRICT FROM EXCEEDING THE MANDATES OF THIS ARTICLE, FROM RELYING UPON THE RESOURCES OF OTHER CITY, STATE OR FEDERAL AGENCIES, OR FROM TRANSLATING DOCUMENTS INTO, OR PROVIDING INTERPRETATION SERVICES IN, LANGUAGES OTHER THAN THE COVERED LANGUAGES.

4. BE CONSTRUED AS PROHIBITING THE SCHOOL DISTRICT FROM UTILIZING BOCES AS A DESIGNATED AGENCY TO ADMINISTER THE PROGRAM SET FORTH IN THIS ARTICLE OR AS A SOURCE OF FINANCIAL AID FOR SUCH PROGRAM.

5. REQUIRE THE SCHOOL DISTRICT TO TRANSLATE DOCUMENTS OR PROVIDE INTERPRETATION FOR MATTERS THAT DO NOT CONCERN A STUDENT'S EDUCATION, OR THAT ARE PROLIX OR ARE UNINTELLIGIBLE.

6. REQUIRE THE SCHOOL DISTRICT TO TRANSLATE OR INTERPRET LEGAL DOCUMENTS NOT OTHERWISE REQUIRED TO BE TRANSLATED BY THIS CHAPTER, INCLUDING, BUT NOT LIMITED TO, LEGAL DOCUMENTS GENERATED BY OR FOR USE IN A PROCEEDING NOT HELD BY THE SCHOOL DISTRICT, EXCEPT TO PROVIDE UPON REQUEST A GENERAL EXPLANATION OF THE NATURE OF SUCH DOCUMENTS IF SUCH DOCUMENTS CONCERN THE PUBLIC EDUCATION OF THE PARENT'S OR GUARDIAN'S CHILD.

S 3. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.