

1199

2009-2010 Regular Sessions

I N S E N A T E

January 27, 2009

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to providing supplemental instructional after school programs for pupils with autism spectrum disorder

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

1 Section 1. Subdivision 4-a of section 3204 of the education law, as
2 added by chapter 53 of the laws of 1986, is amended to read as follows:

3 4-a. Special education. A. Every pupil, having been determined to be a
4 "child with a handicapping condition" by a committee on the handicapped,
5 shall be offered an opportunity to receive the benefits of an appropriate
6 public education as prescribed in article eighty-nine of this chapter.
7

8 B. THE BOARD OF EDUCATION OF EACH SCHOOL DISTRICT RECEIVING STATE
9 FUNDS SHALL PROVIDE A SUPPLEMENTAL INSTRUCTIONAL AFTER SCHOOL PROGRAM
10 FOR PUPILS WITH AUTISM SPECTRUM DISORDERS AND MAY CONTRACT WITH A BOARD
11 OF COOPERATIVE EDUCATIONAL SERVICES OR ANOTHER SCHOOL DISTRICT TO
12 PROVIDE SUCH AN AFTER SCHOOL PROGRAM, PROVIDED THAT IN A CITY HAVING A
13 POPULATION OF ONE MILLION OR MORE, THE COMMUNITY SCHOOL BOARDS SHALL
14 PROVIDE SUCH PROGRAM IN THE SCHOOLS WITHIN THEIR JURISDICTIONS. SUCH
15 SUPPLEMENTAL INSTRUCTION SHALL BE TAUGHT BY A TEACHER OR INSTRUCTOR WHO
16 HAS BEEN CERTIFIED PURSUANT TO SUBDIVISION FIVE OF SECTION THREE THOUSAND
17 FOUR OF THIS TITLE IN THE AREA OF AUTISTIC NEEDS. FOR THE PURPOSES
18 OF THIS SUBDIVISION, "AUTISM SPECTRUM DISORDER" MEANS A NEUROBIOLOGICAL
19 CONDITION THAT INCLUDES AUTISM, ASPERGER SYNDROME, RETT'S SYNDROME, OR
20 PERVASIVE DEVELOPMENTAL DISORDER.

21 S 2. This act shall take effect on the first of September next
22 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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