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

4010

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. MORAHAN -- 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 the transitioning age of students with disabilities

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

Section 1. Subdivision 9 of section 4401 of the education law, as amended by chapter 378 of the laws of 2007, is amended to read as follows:

9. "Transition services" shall mean a coordinated set of activities for a student with a disability, designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the student's strengths, preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation. *SUCH TRANSITION SERVICES SHALL BEGIN WHEN SUCH STUDENT WITH A DISABILITY IS FOURTEEN YEARS OF AGE.*

S 2. Subdivision 9 of section 4401 of the education law, as amended by chapter 311 of the laws of 1999, is amended to read as follows:

9. "Transition services" shall mean a coordinated set of activities for a student with a disability, designed within an outcome-oriented process, which promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated competitive employment (including supported employment), continuing and

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

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adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. SUCH TRANSITION SERVICES SHALL BEGIN WHEN SUCH STUDENT WITH A DISABILITY IS FOURTEEN YEARS OF AGE.

S 3. This act shall take effect immediately, provided that the amendments to subdivision 9 of section 4401 of the education law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 22 of chapter 352 of the laws of 2005 and subdivision d of section 27 of chapter 378 of the laws of 2007, as amended, when upon such date the provisions of section two of this act shall take effect.