

4190

2009-2010 Regular Sessions

I N S E N A T E

April 16, 2009

Introduced by Sens. MONTGOMERY, DILAN, KRUEGER, PARKER, SAMPSON, SCHNEIDERMAN, STAVISKY, THOMPSON -- (at request of the Office of Temporary and Disability Assistance) -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to clarifying the definitions of vocational educational training and educational activities

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

1 Section 1. Paragraph (h) of subdivision 1 of section 336 of the social
2 services law, as amended by chapter 214 of the laws of 1998, is amended
3 to read as follows:
4 (h) vocational educational training as time limited by federal law.
5 For the purposes of this title, "vocational educational training" shall
6 include but not be limited to organized educational programs offering a
7 sequence of courses which are directly related to the preparation of
8 individuals for current or emerging occupations [requiring other than a
9 baccalaureate or advanced degree] INCLUDING PROGRAMS THAT REQUIRE UP TO
10 FOUR YEARS OF POST-SECONDARY EDUCATION. Such programs shall include
11 competency-based applied learning which contributes to an individual's
12 academic knowledge, higher-order reasoning, and problem-solving skills,
13 work attitudes, general employability skills, and the occupational-spe-
14 cific skills necessary for economic independence. Such term also
15 includes applied technology education;
16 S 2. Subdivision 1 of section 336-a of the social services law, as
17 amended by section 148 of part B of chapter 436 of the laws of 1997, is
18 amended to read as follows:
19 1. Social services districts shall make available vocational educa-
20 tional training and educational activities. Such activities may include
21 but need not be limited to, high school education or education designed

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

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1 to prepare a participant for a high school equivalency certificate,
2 basic and remedial education, education in English proficiency and no
3 more than a total of [two] FOUR years of post-secondary education (or
4 the part-time equivalent if full-time study would constitute an undue
5 hardship) in any of the following providers which meet the performance
6 or assessment standards established in regulations by the commissioner
7 for such providers: a community college, licensed trade school, regis-
8 tered business school, or a two-year OR FOUR-YEAR college; provided,
9 however, that such post-secondary education must be necessary to the
10 attainment of the participant's individual employment goal as set forth
11 in the employability plan and such goal must relate directly to obtain-
12 ing useful employment in a recognized occupation. WHEN MAKING ANY
13 ASSIGNMENT TO ANY EDUCATIONAL ACTIVITY PURSUANT TO THIS SUBDIVISION,
14 SUCH ASSIGNMENT SHALL BE PERMITTED ONLY TO THE EXTENT THAT SUCH ASSIGN-
15 MENT IS CONSISTENT WITH THE INDIVIDUAL'S ASSESSMENT AND EMPLOYMENT PLAN
16 GOALS IN ACCORDANCE WITH SECTIONS THREE HUNDRED THIRTY-FIVE AND THREE
17 HUNDRED THIRTY-FIVE-A OF THIS TITLE.

18 S 3. Paragraph (c) of subdivision 1 of section 131-n of the social
19 services law, as amended by chapter 373 of the laws of 2003, is amended
20 to read as follows:

21 (c) an amount up to one thousand four hundred dollars in a separate
22 bank account established by an individual while currently in receipt of
23 assistance for the purpose of paying tuition at a two-year OR FOUR-YEAR
24 accredited post-secondary educational institution, so long as the funds
25 are not used for any other purpose,

26 S 4. This act shall take effect April 1, 2009; provided, however, that
27 the amendments to paragraph (c) of subdivision 1 of section 131-n of the
28 social services law made by section three of this act shall not affect
29 the expiration of such section and shall be deemed to expire therewith.