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

4190--A

2009-2010 Regular Sessions

I N  S E N A T E

April 16, 2009

Introduced by Sens. MONTGOMERY, DILAN, HASSELL-THOMPSON, 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 -- recommitted to the Committee on Social Services in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Paragraph (h) of subdivision 1 of section 336 of the social services law, as amended by chapter 214 of the laws of 1998, is amended to read as follows:

(h) vocational educational training as time limited by federal law. For the purposes of this title, "vocational educational training" shall include but not be limited to organized educational programs offering a sequence of courses which are directly related to the preparation of individuals for current or emerging occupations [requiring other than a baccalaureate or advanced degree] INCLUDING PROGRAMS THAT REQUIRE UP TO FOUR YEARS OF POST-SECONDARY EDUCATION. Such programs shall include competency-based applied learning which contributes to an individual's academic knowledge, higher-order reasoning, and problem-solving skills, work attitudes, general employability skills, and the occupational-specific skills necessary for economic independence. Such term also includes applied technology education;

S 2. Subdivision 1 of section 336-a of the social services law, as amended by section 148 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

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

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1. Social services districts shall make available vocational educational training and educational activities. Such activities may include but need not be limited to, high school education or education designed to prepare a participant for a high school equivalency certificate, basic and remedial education, education in English proficiency and no more than a total of [two] FOUR years of post-secondary education (or the part-time equivalent if full-time study would constitute an undue hardship) in any of the following providers which meet the performance or assessment standards established in regulations by the commissioner for such providers: a community college, licensed trade school, registered business school, or a two-year OR FOUR-YEAR college; provided, however, that such post-secondary education must be necessary to the attainment of the participant's individual employment goal as set forth in the employability plan and such goal must relate directly to obtaining useful employment in a recognized occupation. WHEN MAKING ANY ASSIGNMENT TO ANY EDUCATIONAL ACTIVITY PURSUANT TO THIS SUBDIVISION, SUCH ASSIGNMENT SHALL BE PERMITTED ONLY TO THE EXTENT THAT SUCH ASSIGNMENT IS CONSISTENT WITH THE INDIVIDUAL'S ASSESSMENT AND EMPLOYMENT PLAN GOALS IN ACCORDANCE WITH SECTIONS THREE HUNDRED THIRTY-FIVE AND THREE HUNDRED THIRTY-FIVE-A OF THIS TITLE.

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

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

S 4. This act shall take effect April 1, 2010; provided, however, that the amendments to paragraph (c) of subdivision 1 of section 131-n of the social services law made by section three of this act shall not affect the expiration of such section and shall be deemed to expire therewith.