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

7766

2013-2014 Regular Sessions

I N A S S E M B L Y

June 4, 2013

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

AN ACT to amend the education law, in relation to assistive technology devices

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

Section 1. Clause (b) of subparagraph 3 of paragraph b of subdivision 1 of section 4402 of the education law is amended by adding a new subclause (iii) to read as follows:

(III) SUCH RECOMMENDATIONS MAY INCLUDE, BUT NOT BE LIMITED TO SPECIFYING THE USAGE OF ANY ASSISTIVE TECHNOLOGY DEVICES, AS DEFINED UNDER FEDERAL LAW, DURING THE ADMINISTRATION OF DISTRICTWIDE AND STATE ASSESSMENTS, AND DURING ANY PRACTICE OR SAMPLE OF SUCH DISTRICTWIDE OR STATE ASSESSMENTS THAT MAY BE ADMINISTERED. ANY ASSISTIVE TECHNOLOGY DEVICES SPECIFIED IN A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM SHALL BE PERMITTED FOR USE ON ALL DISTRICTWIDE AND STATE ASSESSMENTS AND ON ANY SUCH PRACTICE OR SAMPLE ASSESSMENT, PROVIDED THAT SUCH USAGE OF ANY ASSISTIVE TECHNOLOGY DEVICES SHALL BE LIMITED TO THOSE SPECIFIED IN A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM.

S 2. This act shall take effect immediately; provided, however, that the amendments to clause (b) of subparagraph 3 of paragraph b of subdivision 1 of section 4402 of the education law, made by section one of this act, shall not affect the expiration and reversion of such clause and shall be deemed repealed therewith.

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

LBD11299-01-3