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

3884

2015-2016 Regular Sessions

I N A S S E M B L Y

January 28, 2015

Introduced by M. of A. WRIGHT, PERRY, ROBINSON -- Multi-Sponsored by -- M. of A. GOTTFRIED -- read once and referred 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:

Section 1. Subdivision 1 of section 336-a of the social services law, as amended by section 4 of part J of chapter 58 of the laws of 2014, is amended to read as follows:

1. Social services districts shall make available vocational educational training and educational activities INCLUDING PROGRAMS THAT REQUIRE UP TO FOUR YEARS OF POST-SECONDARY EDUCATION. 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 four years of post-secondary education (or the part-time equivalent). Educational activities pursuant to this section may be offered with 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-

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

LBD04835-01-5

five and three hundred thirty-five-a of this title and shall require that the individual maintains satisfactory academic progress and hourly participation is documented consistent with federal and state requirements. For purposes of this provision "satisfactory academic progress" shall mean having a cumulative C average, or its equivalent, as determined by the academic institution. The requirement to maintain satisfactory academic progress may be waived if done so by the academic institution and the social services district based on undue hardship caused by an event such as a personal injury or illness of the student, the death of a relative of the student or other extenuating circumstances. Any enrollment in post-secondary education beyond a twelve month period must be combined with no less than twenty hours of participation averaged weekly in paid employment or work activities or community service when paid employment is not available.

S 2. This act shall take effect immediately.