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

5325--A

Cal. No. 149

2015-2016 Regular Sessions

I N A S S E M B L Y

February 18, 2015

Introduced by M. of A. GLICK, STIRPE, ORTIZ, JAFFEE -- read once and referred to the Committee on Higher Education -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the education law, in relation to certified school psychologists and special education services and programs for preschool children with handicapping conditions; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Paragraph d of subdivision 6 of section 4410 of the education law, as added by chapter 581 of the laws of 2011, is amended to read as follows:

d. Notwithstanding any other provision of law to the contrary, the exemption in subdivision one of section seventy-six hundred five of this chapter shall apply to persons employed ON A FULL-TIME OR PART-TIME SALARY BASIS, WHICH MAY INCLUDE ON AN HOURLY, WEEKLY, OR MONTHLY BASIS, by a center-based program approved pursuant to subdivision nine of this section as a school psychologist to provide activities, services and use of the title psychologist to students enrolled in such approved center-based program, AND TO CERTIFIED SCHOOL PSYCHOLOGISTS EMPLOYED ON A FULL-TIME OR PART-TIME SALARY BASIS, WHICH MAY INCLUDE ON AN HOURLY, WEEKLY, OR MONTHLY BASIS, BY AN APPROVED PROGRAM, WHICH PROGRAM HAS BEEN APPROVED PURSUANT TO PARAGRAPH B OF SUBDIVISION NINE OF THIS SECTION, OR SUBDIVISION NINE-A OF THIS SECTION, TO CONDUCT A MULTI-DISCIPLINARY EVALUATION OF A PRESCHOOL CHILD HAVING OR SUSPECTED OF HAVING A DISABILITY, AND TO CERTIFIED SCHOOL PSYCHOLOGISTS EMPLOYED ON A FULL-TIME OR PART-TIME SALARY BASIS, WHICH MAY INCLUDE ON AN HOURLY, WEEKLY, OR MONTHLY BASIS, BY AN AGENCY APPROVED IN ACCORDANCE WITH TITLE TWO-A OF ARTICLE TWENTY-FIVE OF THE PUBLIC HEALTH LAW TO DELIVER EARLY INTERVENTION PROGRAM MULTIDISCIPLINARY EVALUATIONS, SERVICE COORDINATION

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

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SERVICES AND EARLY INTERVENTION PROGRAM SERVICES, WHERE AUTHORIZED BY PARAGRAPH A OF SUBDIVISION SIX OF SECTION SIXTY-FIVE HUNDRED THREE-B OF THIS CHAPTER, EACH in the course of their employment.

S 2. Subdivision 1 of section 7605 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

1. The activities, services, and use of the title of psychologist, or any derivation thereof, on the part of a person in the employ of a federal, state, county or municipal agency, or other political subdivision, or a chartered elementary or secondary school or degree-granting educational institution insofar as such activities and services are a part of the duties of his salaried position OR ON THE PART OF A PERSON IN THE EMPLOY ON A FULL-TIME OR PART-TIME SALARY BASIS, WHICH MAY INCLUDE ON AN HOURLY, WEEKLY, OR MONTHLY BASIS, OF A PRESCHOOL SPECIAL EDUCATION PROGRAM APPROVED PURSUANT TO PARAGRAPH B OF SUBDIVISION NINE OR SUBDIVISION NINE-A OF SECTION FORTY-FOUR HUNDRED TEN OF THIS CHAPTER TO PROVIDE ACTIVITIES, SERVICES AND TO USE THE TITLE "CERTIFIED SCHOOL PSYCHOLOGIST", SO LONG AS THIS SHALL NOT BE CONSTRUED TO PERMIT THE USE OF THE TITLE "LICENSED PSYCHOLOGIST", TO STUDENTS ENROLLED IN SUCH APPROVED PROGRAM OR TO CONDUCT A MULTIDISCIPLINARY EVALUATION OF A PRESCHOOL CHILD HAVING OR SUSPECTED OF HAVING A DISABILITY, OR TO CERTIFIED SCHOOL PSYCHOLOGISTS EMPLOYED ON A FULL-TIME OR PART-TIME SALARY BASIS, WHICH MAY INCLUDE ON AN HOURLY, WEEKLY OR MONTHLY BASIS, BY AN AGENCY APPROVED IN ACCORDANCE WITH TITLE TWO-A OF ARTICLE TWENTY-FIVE OF THE PUBLIC HEALTH LAW TO DELIVER EARLY INTERVENTION PROGRAM MULTIDISCIPLINARY EVALUATIONS, SERVICE COORDINATION SERVICES AND EARLY INTERVENTION PROGRAM SERVICES, WHERE EACH SUCH PRESCHOOL SPECIAL EDUCATION PROGRAM OR EARLY INTERVENTION PROVIDER IS AUTHORIZED BY PARAGRAPH A OR B OF SUBDIVISION SIX OF SECTION SIXTY-FIVE HUNDRED THREE OF THIS TITLE, EACH IN THE COURSE OF THEIR EMPLOYMENT.

S 3. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2014, provided, however that the provisions of this act shall expire and be deemed repealed June 30, 2016.