

STATE OF NEW YORK

6515

2017-2018 Regular Sessions

IN ASSEMBLY

March 8, 2017

Introduced by M. of A. NOLAN -- (at request of the State Education Department) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to providing aid for blind or deaf students in relation to the purchase and use of supports for the education of students who are blind, deaf, deaf-blind, hard of hearing, learning disabled or print disabled

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 4210 of the education law, as amended by chapter 53
2 of the laws of 1989, paragraph (b) of subdivision 1 as amended by chap-
3 ter 53 of the laws of 1990, is amended to read as follows:

4 § 4210. Aid for learning disabled, print disabled, blind or deaf
5 students. 1. For purposes of this section, the following terms shall
6 have the following definitions:

7 a. "Print disabled" shall mean a person with a disability who experi-
8 ences barriers to accessing instructional material in nonspecialized
9 formats, including an individual described in section 121(d)(2) of title
10 17 of the United States Code.

11 b. "Learning disabled" shall mean a person with a learning disability
12 as defined in section 602 of title I of the individuals with disabili-
13 ties education act.

14 2. a. Whenever a learning disabled, print disabled, blind or deaf
15 person, who is a citizen of this state and a student in actual attend-
16 ance at a college, university, technical or professional school, includ-
17 ing agriculture and technical institutes and state institutes of applied
18 arts and sciences, [~~located in this state~~] and authorized by law to
19 grant or licensed private career schools as defined in article one
20 hundred one of this title, degrees, other than an institution estab-
21 lished for the regular instruction of the blind or deaf, shall be desig-
22 nated by the trustees thereof as a fit person to receive the aid herein-
23 after provided for, there shall be paid by the state for the use of such

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

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1 student a sum not to exceed [~~one~~] four thousand dollars per annum,
2 subject to terms and conditions prescribed by the commissioner in regu-
3 lations and within the limits of the appropriation therefor, with which
4 to [~~employ persons to read to such blind student~~] provide such students
5 with support to read, including the employment of persons to read to
6 such student and/or the purchase of technology to assist the student in
7 reading from text-books and pamphlets [~~used by such student~~] in his or
8 her studies at such college, university or school, or to aid [~~a deaf~~]
9 such student, in receiving instruction in such studies[~~, In case such a~~
10 ~~college, university, technical or professional school as will meet the~~
11 ~~needs or requirements of such a student is not located within this~~
12 ~~state, such a sum shall be paid by this state for the use of such~~
13 ~~student attending such a college, university, technical or professional~~
14 ~~school which shall conform to the requirements of this section in another~~
15 ~~state. Such a sum shall also be available to aid a deaf student in~~
16 ~~receiving instruction in a regularly approved institution for the deaf~~
17 ~~located outside of the state but within one hundred fifty miles of the~~
18 ~~borders thereof~~].

19 b. The trustees of any institution meeting the requirements of this
20 section shall submit reports in such form and at such times as
21 prescribed by the commissioner identifying the number of students eligi-
22 ble to receive aid pursuant to this subdivision and shall estimate the
23 funds needed to support such students as provided herein. The commis-
24 sioner shall advance twice during the school year to each such institu-
25 tion such estimated amounts within the limits of the annual appropri-
26 ation provided therefore.

27 [~~d.~~] c. At the conclusion of the academic year for which such funds
28 are provided, each institution receiving funds pursuant to this subdivi-
29 sion shall submit to the commissioner a final accounting for the use of
30 such funds and any additional reporting requirements prescribed by the
31 commissioner in regulations and shall return any unspent funds.

32 [~~2.~~] 3. Such moneys shall be paid annually, after the beginning of the
33 school year of such institution, by the commissioner of taxation and
34 finance on the warrant of the comptroller, to the treasurer of such
35 institution, on his presenting an account showing the actual number of
36 learning disabled, print disabled, blind or deaf students matriculated
37 and attending the institution, which account shall be verified by the
38 president of the institution and accompanied by his certificate that the
39 trustees have recommended the students named in said account as
40 hereinbefore provided.

41 [~~3.~~] 4. The trustees of any of the said institutions shall recommend
42 no learning disabled, print disabled, blind or deaf person, who is not
43 regularly matriculated, and who is not in good and regular standing, and
44 who is not working for a degree from the institution in which he or she
45 is matriculated; and no learning disabled, print disabled, blind or deaf
46 person shall be recommended, who is not doing the work regularly
47 prescribed by the institution for the degree for which he or she is a
48 candidate. The moneys so paid to any such institution shall be disbursed
49 for the purposes aforesaid by and under the direction of its board of
50 trustees.

51 5. Funds appropriated in the two thousand seventeen--two thousand
52 eighteen academic year and thereafter for the purposes of this initi-
53 ative shall be allocated on a first-come, first serve basis based on the
54 order of applications received by the commissioner, in a timeframe and
55 manner prescribed by the commissioner in regulations.

1 6. Funds allocated pursuant to this section shall supplement not
2 supplant any aid provided and/or devices currently used by the college,
3 university, technical or professional school, including agriculture and
4 technical institutes and state institutes of applied arts and sciences
5 or licensed private career schools as defined in article one hundred one
6 of this title, for the purposes of this section.

7 § 2. This act shall take effect on the ninetieth day after it shall
8 have become a law.