STATE OF NEW YORK

4753

2017-2018 Regular Sessions

IN SENATE

February 27, 2017

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to special provisions relating to instruction of certain children with handicapping conditions

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

Section 1. Subdivision 2 of section 4407 of the education law, as amended by chapter 53 of the laws of 1989, is amended to read as follows:

2. The state education department shall maintain a register of such educational facilities which are outside of the state which, after inspection, it deems qualified to meet the needs of certain children for instruction pursuant to subdivision one of this section. **Public or private facilities of instruction located outside of the state which apply to the department for approval, shall, notwithstanding any review or revision of policy undertaken by the department, be added to the register if such facilities are found by the department to meet the needs of certain children for instruction. The continual approval of such facilities is necessary to safeguard the right of handicapped children in New York state to access appropriate educational services when there is no appropriate in-state placement available.**

§ 2. This act shall take effect on the first of October next succeeding the date it shall have become a law; provided, however, that effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the timely implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.

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

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