

# STATE OF NEW YORK

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1595

2017-2018 Regular Sessions

## IN ASSEMBLY

January 12, 2017

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

AN ACT to amend the education law, in relation to policies that allow students with disabilities to participate in a high school graduation ceremony

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 "Zachary's law".

3 § 2. Section 4402 of the education law is amended by adding a new  
4 subdivision 9 to read as follows:

5 9. The board of education or the board of trustees of each school  
6 district that operates a high school shall establish a policy and adopt  
7 procedures to allow any student with a disability in such district to  
8 participate in the graduation ceremony of the student's high school  
9 graduating class and all related activities if such student has been  
10 issued a skills and achievement commencement credential but has not  
11 otherwise qualified for a regents or local high school diploma. Such  
12 student shall be eligible to participate if the student's individualized  
13 education program prescribes special education, transition planning,  
14 transition services, or related services beyond the student's four  
15 academic years after the student's entry into high school. The policy  
16 and procedures shall provide annual written notice to all students with  
17 disabilities and their parents or guardians about the school district's  
18 policy and procedures adopted in accordance with this subdivision. Noth-  
19 ing in this subdivision shall compel a student with disabilities to  
20 participate in the high school graduation ceremony and activities. The  
21 superintendent shall consider the recommendation, if any, of the  
22 student's committee on special education as well as the student's own  
23 expressed preference. For purposes of this subdivision, a student's high

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

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1 school graduating class shall be the twelfth grade class with which such  
2 student with a disability entered into ninth grade.  
3 § 3. This act shall take effect on the ninetieth day after it shall  
4 have become a law.