

STATE OF NEW YORK

4831--A

2017-2018 Regular Sessions

IN SENATE

March 2, 2017

Introduced by Sen. LAVALLE -- (at request of the State Education Department) -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, or hard of hearing

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 chapter
3 53 of the laws of 1990, is amended to read as follows:

4 § 4210. Aid for blind or deaf students. 1. a. Whenever a blind or deaf
5 person, who is a citizen of this state and a student in actual attendance
6 at a college, university, technical or professional school, including
7 agriculture and technical institutes and state institutes of applied
8 arts and sciences, located in this state and authorized by law to grant
9 degrees, or licensed private career schools as defined in article one
10 hundred one of this title and located in this state, other than an
11 institution established for the regular instruction of the blind or
12 deaf, shall be designated by the trustees thereof as a fit person to
13 receive the aid hereinafter provided for, there shall be paid by the
14 state for the use of such student a sum not to exceed [~~one~~] four thousand
15 dollars per annum, subject to terms and conditions prescribed by
16 the commissioner in regulations and within the limits of the appropriation
17 therefor, with which to [~~employ persons to read to such blind~~
18 ~~student~~] provide such students with support to read, including the
19 employment of persons to read to such student and/or the purchase of
20 technology to assist the student in reading from text-books and

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

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1 pamphlets [~~used by such student~~] in his or her studies at such college,
2 university or school, or to aid [~~a deaf~~] such student, in receiving
3 instruction in such studies[~~, In case such a college, university, tech-~~
4 ~~nical or professional school as will meet the needs or requirements of~~
5 ~~such a student is not located within this state, such a sum shall be~~
6 ~~paid by this state for the use of such student attending such a college,~~
7 ~~university, technical or professional school which shall conform to the~~
8 ~~requirements of this section in another state. Such a sum shall also be~~
9 ~~available to aid a deaf student in receiving instruction in a regularly~~
10 ~~approved institution for the deaf located outside of the state but with-~~
11 ~~in one hundred fifty miles of the borders thereof].~~

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

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

25 2. Such moneys shall be paid annually, after the beginning of the
26 school year of such institution, by the commissioner of taxation and
27 finance on the warrant of the comptroller, to the treasurer of such
28 institution, on his presenting an account showing the actual number of
29 blind or deaf students matriculated and attending the institution, which
30 account shall be verified by the president of the institution and accom-
31 panied by his certificate that the trustees have recommended the
32 students named in said account as hereinbefore provided.

33 3. The trustees of any of the said institutions shall recommend no
34 blind or deaf person, who is not regularly matriculated, and who is not
35 in good and regular standing, and who is not working for a degree from
36 the institution in which he or she is matriculated; and no blind or deaf
37 person shall be recommended, who is not doing the work regularly
38 prescribed by the institution for the degree for which he or she is a
39 candidate. The moneys so paid to any such institution shall be disbursed
40 for the purposes aforesaid by and under the direction of its board of
41 trustees.

42 4. Funds appropriated in the two thousand seventeen--two thousand
43 eighteen academic year and thereafter for the purposes of this initi-
44 ative shall be allocated on a first-come, first serve basis based on the
45 order of applications received by the commissioner, in a timeframe and
46 manner prescribed by the commissioner in regulations.

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

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