STATE OF NEW YORK

3292

2019-2020 Regular Sessions

IN ASSEMBLY

January 29, 2019

Introduced by M. of A. CARROLL, LIFTON, MOSLEY -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to approved costs of providing special education services to children with handicapping conditions in preschool

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

Section 1. Subdivision 10 of section 4410 of the education law is amended by adding a new paragraph f to read as follows:

f. Notwithstanding any other provision of law to the contrary, commencing with the two thousand eleven--two thousand twelve school year, costs of certain property and non-direct care service costs associated with identified space directly related to special education itinerant services and used for instructional purposes in accordance with a student's individualized education program shall be deemed reimbursable within the calculation of tuition rates for approved programs pursuant to the approved tuition methodology in effect for the corresponding year. Such costs shall include those associated with discrete, specific space located outside of the classroom but within the proximity of such classroom where the special education itinerant services are provided and shall include mortgage interest, depreciation, rent, utilities, storage, housekeeping and supplies, and non-direct care costs associated with maintenance. All such costs shall be required to meet the applicable criteria for reimbursement as specified by the commissioner's regulations and the department's tuition reimbursement guidelines and requirements.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2011.

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

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