STATE OF NEW YORK

130

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. CARLUCCI, SEPULVEDA -- 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 disabled students seeking to increase duration limits for student financial aid awards

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

Section 1. Paragraph g of subdivision 4 of section 661 of the education law, as amended by section 1 of part Z of chapter 58 of the laws of 2011, is amended to read as follows:

g. For students who are disabled as defined by the Americans With [~~Disability~~] **Disabilities** Act of 1990, 42 USC 12101, the full-time attendance requirement is eliminated **and the duration limit, as provided in section six hundred sixty-seven of this part, may be increased up to a period not to exceed six years as approved by the commissioner**. Such disabled students may be in part-time attendance, as defined by the commissioner in order to be eligible to receive payments from the president. **The disabled student seeking assistance for a duration period longer than allowable by law must demonstrate to the commissioner that their disability prevented the completion of the enrolled program within the maximum award period.**

§ 2. The commissioner of education shall have the authority to promulgate rules and regulations as necessary to implement the provisions of this act.

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

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

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