

# STATE OF NEW YORK

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## IN SENATE

March 9, 2020

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Introduced by Sens. HARCKHAM, KAPLAN -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to providing that certain schools shall experience no financial harm for reduced enrollment or inability to operate for the full 180 session days due to the outbreak of coronavirus disease 2019 (COVID-19)

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

1 Section 1. Notwithstanding any provision of law or regulation to the  
2 contrary, if as a result of the state of emergency that was executed in  
3 Executive Order No. 202 on March 7, 2020, approved private schools serv-  
4 ing students with disabilities subject to articles 81 and 89 of the  
5 education law, special act school districts, state supported schools  
6 pursuant to article 85 of the education law, and approved preschool  
7 special class and special class in an integrated setting programs pursu-  
8 ant to section 4410 of the education law are unable to operate for the  
9 full 180 session days for the 10-month 2019-2020 school year, or experi-  
10 ence a reduction in enrollment during the 2019-2020 school year, the 180  
11 session day requirement shall be waived and the per diem and/or tuition  
12 rate shall be administratively adjusted by the state education depart-  
13 ment, with no approval required by the division of the budget, so that  
14 such schools experience no financial harm for reduced enrollment or  
15 inability to operate for the full 180 session days.  
16 § 2. This act shall take effect immediately.

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

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