STATE OF NEW YORK

3980

2021-2022 Regular Sessions

IN ASSEMBLY

January 29, 2021

Introduced by M. of A. ABINANTI, PRETLOW, SIMON, BENEDETTO, GUNTHER, CAHILL, RA, OTIS, M. MILLER, PAULIN, GOODELL, HAWLEY -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, GALEF, HEVESI, LUPARDO, THIELE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the definition of "tuition" for children with handicapping conditions

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

Section 1. Subdivision 5 of section 4401 of the education law, as amended by chapter 470 of the laws of 1977, is amended to read as follows:

5. "Tuition" shall mean the per pupil cost of all instructional services, supplies and equipment, the operation**, maintenance and administration** of instructional facilities and allocable debt service for the instructional facilities, as determined by the commissioner. [~~Approved tuition~~] **It shall also include direct reimbursement outside the direct and indirect costs screens, of actual public expenses calculated annually. Tuition** shall be computed from expenditures from which no revenue has been received from the following sources:

(a) receipts from the federal government;

(b) any cash receipts which reduce the cost of an item applied against the item therefor, except gifts, donations and earned interest[~~,~~]**;** and

(c) any refunds made or any apportionment or payment received from the state for experimental or special programs as approved by the commissioner.

§ 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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