

STATE OF NEW YORK

793

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. CARROLL -- 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:

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

3 f. Notwithstanding any other provision of law to the contrary,
4 commencing with the two thousand eleven--two thousand twelve school
5 year, costs of certain property and non-direct care service costs asso-
6 ciated with identified space directly related to special education itin-
7 erant services and used for instructional purposes in accordance with a
8 student's individualized education program shall be deemed reimbursable
9 within the calculation of tuition rates for approved programs pursuant
10 to the approved tuition methodology in effect for the corresponding
11 year. Such costs shall include those associated with discrete, specific
12 space located outside of the classroom but within the proximity of such
13 classroom where the special education itinerant services are provided
14 and shall include mortgage interest, depreciation, rent, utilities,
15 storage, housekeeping and supplies, and non-direct care costs associated
16 with maintenance. All such costs shall be required to meet the applica-
17 ble criteria for reimbursement as specified by the commissioner's regu-
18 lations and the department's tuition reimbursement guidelines and
19 requirements.

20 § 2. This act shall take effect immediately and shall be deemed to
21 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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