

# STATE OF NEW YORK

897

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend a chapter of the laws of 2020 relating 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), as proposed in legislative bills numbers S.8014-C and A.10193, in relation to providing that certain schools shall experience no financial harm for 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. Section 1 of a chapter of the laws of 2020 relating to  
2 providing that certain schools shall experience no financial harm for  
3 reduced enrollment or inability to operate for the full 180 session days  
4 due to the outbreak of coronavirus disease 2019 (COVID-19), as proposed  
5 in legislative bills numbers S.8014-C and A.10193, is amended to read as  
6 follows:

7 Section 1. Notwithstanding any provision of law or regulation to the  
8 contrary, if as a result of the state of emergency that was executed in  
9 Executive Order No. 202 on March 7, 2020, approved private schools serv-  
10 ing students with disabilities subject to articles 81 and 89 of the  
11 education law, special act school districts, state supported schools  
12 pursuant to article 85 of the education law, and approved preschool  
13 special class and special class in an integrated setting programs pursu-  
14 ant to section 4410 of the education law are unable to operate for the  
15 full 180 session days for the 10-month 2019-2020 school year [~~or expe-~~  
16 ~~rience a reduction in enrollment during the 2019-2020 school year~~], the  
17 180 session day requirement shall be waived and the per diem and/or  
18 tuition rate shall be [~~administratively~~] adjusted [~~by the state educa-~~

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

LBD07203-01-1

1 ~~tion department, with no approval required by the division of the budg-~~  
2 ~~et]~~ so that such schools experience no financial harm for [~~reduced~~  
3 ~~enrollment-or~~] inability to operate for the full 180 session days.  
4 § 2. This act shall take effect on the same date and in the same  
5 manner as a chapter of the laws of 2020 relating to providing that  
6 certain schools shall experience no financial harm for reduced enroll-  
7 ment or inability to operate for the full 180 session days due to the  
8 outbreak of coronavirus disease 2019 (COVID-19), as proposed in legisla-  
9 tive bills numbers S.8014-C and A.10193, takes effect.