STATE OF NEW YORK

9864

IN ASSEMBLY

April 24, 2024

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to sufficient documentation that a student enrolled in or admitted to an institution of higher education has a disability

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

Section 1. Article 3 of the education law is amended by adding a new part 2 to read as follows:

PART II

STUDENTS WITH DISABILITIES POLICY AND DOCUMENTATION

§ 150. Students with disabilities policy and documentation.

§ 150. Students with disabilities policy and documentation. 1. Each institution of higher education shall adopt a policy that documentation of an individualized education program (IEP) in accordance with section 614(d) of the federal individuals with disabilities education act, which is submitted by an enrolled or admitted student, is sufficient to establish that such student is an individual with a disability.

2. An institution of higher education may request additional documentation from an individual who had an individualized education program (IEP) if such individualized education program (IEP) was not in effect immediately prior to the date when such individual exited high school.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

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