

# 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:

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

### PART II

#### STUDENTS WITH DISABILITIES POLICY AND DOCUMENTATION

5 § 150. Students with disabilities policy and documentation.

6 § 150. Students with disabilities policy and documentation. 1. Each  
7 institution of higher education shall adopt a policy that documentation  
8 of an individualized education program (IEP) in accordance with section  
9 614(d) of the federal individuals with disabilities education act, which  
10 is submitted by an enrolled or admitted student, is sufficient to estab-  
11 lish that such student is an individual with a disability.

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

16 § 2. This act shall take effect on the sixtieth day after it shall  
17 have become a law. Effective immediately, the addition, amendment and/or  
18 repeal of any rule or regulation necessary for the implementation of  
19 this act on its effective date are authorized to be made and completed  
20 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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