STATE OF NEW YORK

3328

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

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

AN ACT to amend the education law, in relation to improving the transportation of children with special needs

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

Section 1. Section 3635 of the education law is amended by adding a new subdivision 9 to read as follows:

9. a. Notwithstanding any other provision of law, rule or regulation, where a child with special needs legally attends a school district, such child shall be provided free transportation between home and school.

b. Each school district with a child with special needs shall have a children with special needs liaison who shall work with each child with special needs and the child's family to ensure that the requirements of this subdivision are met.

c. Such transportation shall not exceed one and one-half hours, including flexible wait times at homes to account for such children with special needs potentially requiring more time to get on and off of transportation. If the transportation cannot be completed within this timeframe, the school district shall either: (i) reduce the transportation time by adding more transportation within the district; or (ii) reimburse, in full, the caretaker of the child for any and all transportation expenses for the safe and timely transportation of the child to and from the school including, but not limited to, fuel costs, mileage, tolls, and fares.

d. Such transportation used by the school district to transport children with special needs shall include cameras and bus tracking systems so the child and the child's family can know when the bus will arrive at the home.

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

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e. For the purposes of this section, "children with special needs" shall include, but not be limited to, minors with intellectual or developmental disabilities.

§ 2. This act shall take effect on the first of July next succeeding the date upon which it shall have become a law.