

STATE OF NEW YORK

3950--C

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. PHEFFER AMATO, WEPRIN, WIEDER, BERGER, EICHEN-STEIN -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the submission of requests to the committee on special education for the educational services mandated by an individualized education services program

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

1 Section 1. Section 3602-c of the education law is amended by adding
2 two new subdivisions 2-d and 2-e to read as follows:

3 2-d. For education provided to students with disabilities beginning in
4 the two thousand twenty-six--two thousand twenty-seven school year and
5 each school year thereafter, the school district of location shall annu-
6 ally provide written notice to parents or persons in parental relation
7 to all students with disabilities who have been parentally-placed in and
8 are attending nonpublic schools within their district regarding the
9 process for requesting special education services. Such notice shall:
10 (i) be provided in any of the twelve most common non-English languages
11 spoken by limited-English proficient individuals in the state, based on
12 the data in the most recent American community survey published by the
13 United States census bureau, except that any city school district in a
14 city having a population of one million or more inhabitants shall
15 provide translations in accordance with that district's established
16 policies and practices for parent-facing translation services; (ii) be
17 provided at least twenty-eight days before any deadlines by which
18 requests for special education services must be submitted; (iii) specify

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

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1 all deadlines by which requests for special education services must be
2 submitted; (iv) clearly describe the procedures for submitting such
3 requests and detail any required documentation; and (v) provide contact
4 information for obtaining additional information or assistance regarding
5 the application process.

6 2-e. a. The provisions of this subdivision shall apply solely to any
7 city school district in a city having a population of one million or
8 more inhabitants, for the two thousand twenty-five--two thousand twen-
9 ty-six school year.

10 b. On or before the first Friday of October, two thousand twenty-six,
11 a parent or person in parental relation to a student who had an individ-
12 ualized education services program, pursuant to subdivision two-b of
13 this section, for the two thousand twenty-five--two thousand twenty-six
14 school year and who was obligated to file a request for services on or
15 before the first day of June, two thousand twenty-five, pursuant to
16 subdivision two of this section, but failed to do so, and did not
17 receive some of or all of the services recommended on the student's
18 individualized education services program because the school district
19 did not make them available, may contact the committee on special educa-
20 tion of the school district of location and request an expedited annual
21 review of the individualized education services program, which will be
22 conducted within sixty calendar days of such request. In advance of such
23 review, the parent or person in parental relation to the student shall
24 have the opportunity to provide the committee with any information or
25 documentation related to how such missed services impacted the student's
26 educational progress during the two thousand twenty-five--two thousand
27 twenty-six school year. At such review, the committee and the parent or
28 person in parental relation to the student shall discuss any such infor-
29 mation and documentation and determine whether the failure to receive
30 such services significantly and negatively impacted the student's educa-
31 tional progress during the two thousand twenty-five--two thousand twen-
32 ty-six school year. The committee shall incorporate any such determi-
33 nation of impact into the services recommended on any individualized
34 education services program for the student for the two thousand twenty-
35 six--two thousand twenty-seven school year.

36 § 2. This act shall take effect immediately.