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, EICHENSTEIN -- 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:

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

2-d. For education provided to students with disabilities beginning in the two thousand twenty-six--two thousand twenty-seven school year and each school year thereafter, the school district of location shall annually provide written notice to parents or persons in parental relation to all students with disabilities who have been parentally-placed in and are attending nonpublic schools within their district regarding the process for requesting special education services. Such notice shall: (i) be provided in any of the twelve most common non-English languages spoken by limited-English proficient individuals in the state, based on the data in the most recent American community survey published by the United States census bureau, except that any city school district in a city having a population of one million or more inhabitants shall provide translations in accordance with that district's established policies and practices for parent-facing translation services; (ii) be provided at least twenty-eight days before any deadlines by which 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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all deadlines by which requests for special education services must be submitted; (iv) clearly describe the procedures for submitting such requests and detail any required documentation; and (v) provide contact information for obtaining additional information or assistance regarding the application process.

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

b. On or before the first Friday of October, two thousand twenty-six, a parent or person in parental relation to a student who had an individualized education services program, pursuant to subdivision two-b of this section, for the two thousand twenty-five--two thousand twenty-six school year and who was obligated to file a request for services on or before the first day of June, two thousand twenty-five, pursuant to subdivision two of this section, but failed to do so, and did not receive some of or all of the services recommended on the student's individualized education services program because the school district did not make them available, may contact the committee on special education of the school district of location and request an expedited annual review of the individualized education services program, which will be conducted within sixty calendar days of such request. In advance of such review, the parent or person in parental relation to the student shall have the opportunity to provide the committee with any information or documentation related to how such missed services impacted the student's educational progress during the two thousand twenty-five--two thousand twenty-six school year. At such review, the committee and the parent or person in parental relation to the student shall discuss any such information and documentation and determine whether the failure to receive such services significantly and negatively impacted the student's educational progress during the two thousand twenty-five--two thousand twenty-six school year. The committee shall incorporate any such determination of impact into the services recommended on any individualized education services program for the student for the two thousand twenty-six--two thousand twenty-seven school year.

§ 2. This act shall take effect immediately.