

STATE OF NEW YORK

10349

IN ASSEMBLY

February 26, 2026

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

AN ACT to amend the education law, in relation to transportation requests for children either physically handicapped or developmentally disabled

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

1 Section 1. Subdivision 2 of section 3635 of the education law, as
2 amended by chapter 719 of the laws of 1978, is amended to read as
3 follows:

4 2. A parent or guardian of a child residing in any school district, or
5 any representative authorized by such parent or guardian, who desires
6 for a child during the next school year any transportation authorized or
7 directed by this chapter shall submit a written request therefor to the
8 school trustees or board of education of such district not later than
9 the first day of April preceding the next school year, or, in the case
10 of a child who is either physically handicapped or developmentally disa-
11 bled, not later than the first day of July preceding the next school
12 year; provided, however, that a parent or guardian of a child not resid-
13 ing in the district on such date shall submit a written request within
14 thirty days after establishing residence in the district. No late
15 request of a parent or guardian for transportation shall be denied where
16 a reasonable explanation is provided for the delay. If the voters,
17 school trustees, or board of education fail to provide the transporta-
18 tion authorized or directed by this chapter after receiving such a
19 request, such parent, guardian or representative, or any taxpayer resid-
20 ing in the district, may appeal to the commissioner of education, as
21 provided in section three hundred ten of this chapter. Except as
22 hereinbefore provided, the commissioner of education shall not require
23 that such parent, guardian or representative present a request for such
24 transportation to any meeting of the voters, school trustees or board of
25 education in order to appeal. Upon such appeal, the commissioner of
26 education shall make such order as is required to effect compliance with
27 the provisions of this chapter and this section.

28 § 2. This act shall take effect immediately and shall apply to school
29 years commencing on and after July 1, 2026.

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

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