§ 4410-a. Responsibility for certain temporary-resident preschool children with disabilities. 1. Definitions. For the purpose of this section, the following definitions shall apply:

a. "Foster care child" shall mean a child placed in foster care by a social services district.

b. "Homeless child" shall mean a homeless child as defined in paragraph a of subdivision one of section thirty-two hundred nine of this chapter.

c. "Municipality" shall mean a county outside the city of New York or the city, in the case of a county in the city of New York.

d. "Municipality of current location" shall mean a municipality in which a child lives which is different from the municipality in which a child or such child's family lived at the time a social services district assumed responsibility for the placement of such child or family, or at the time such child was admitted for care and/or treatment in a facility licensed or operated by another state agency.

e. "Municipality of residence" shall mean the municipality in which a child or such child's family lived at the time the local social services district assumed responsibility for the placement of such child or family, or at the time such child was admitted for care and/or treatment in a facility licensed or operated by another state agency.

f. "Preschool child with a disability" shall mean a child eligible for services pursuant to section forty-four hundred ten of this chapter.

g. "School district of current location" shall mean a school district in which a child lives which is different from the school district in which a child or such child's family lived at the time a social services district assumed responsibility for the placement of such child or family, or at the time such child was admitted for care and/or treatment in a facility licensed or operated by another state agency.

h. "Child in residential care" shall mean a child residing in a facility licensed or operated by another state agency as defined by section 1.03 of the mental hygiene law or by section two of the public health law.

2. School district evaluation and placement responsibility. The school district of current location of a foster care or homeless child or child in residential care shall be responsible for the evaluation and placement procedures prescribed for a preschool child suspected of having a disability pursuant to section forty-four hundred ten of this chapter. In issuing its written notice of determination of services, the board of education of such school district shall identify the municipality of residence of a preschool child with a disability who is a foster care or homeless child or child in residential care. Such notice of determination shall be transmitted to both the municipality of residence and the municipality of current location.

3. Contract and payment responsibility. The municipality of current location shall be the municipality of record for a preschool child with a disability who is a foster care or homeless child or child in residential care for the purposes of section forty-four hundred ten of this chapter provided, however, that, notwithstanding the provision of paragraph b of subdivision eleven of such section, the state shall reimburse one hundred percent of the approved costs paid by such municipality which shall be offset by the local contribution due pursuant to subdivision four of this section.

4. Local contribution. The municipality of residence shall be financially responsible for the local contribution which shall equal that portion of the approved costs of services to a foster care or homeless child or child in residential care with a disability which would not be reimbursed pursuant to the schedule set out in paragraph b of subdivision eleven of section forty-four hundred ten of this chapter. The commissioner shall certify to the comptroller the amount of the local contribution owed by each municipality to the state. The comptroller shall deduct the amount of such local contribution first from any moneys due the municipality pursuant to such section and then

from any other moneys due or to become due such municipality.