



New York State YMCA
Youth And Government

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FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate Liberty 3

Bill #:SL-23

1 **Sponsors:** Olivia Raineri, Sara Kellenberger, Esther Fajardo

2 **An Act to**

3 To amend § 4403 of The New York Education Law to give college students an equal
4 education by giving each college student with a disability there accommodations.

5
6 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

7
8 **Purpose**

9 To provide an equal education for all ages no matter their age or educational
10 disability

11

12 **Summary of Provisions**

13 **Section 1: Definition**

14 **IEP:** individualize education plan for a student who receives educational
15 accommodations consisting of extended time enlarge font

16 **Learning disabilities:** a person unable to demonstrate the skill level expected from
17 someone of a similar age, who has an average or above average IQ

18 **Section 2**

19 1. To maintain a statistical summary of the number of handicapped ~~children,~~
20 students who reside within the state and the nature of their handicaps and to use
21 all means and measures necessary to adequately meet the physical and educational
22 needs of such students, as provided by law.

23 2. To stimulate all private and public efforts designed to relieve, care for or
24 educate ~~children~~ students with handicapping conditions and to coordinate such
25 efforts with the work and function of governmental agencies.

26 4. To periodically inspect, report on the adequacy of and make recommendations
27 concerning instructional programs or special services for all ~~children~~ students with
28 handicapping conditions who reside in or attend any state operated or state
29 financed social service facilities, youth facilities, health facilities, mental health,
30 mental retardation and developmental disabilities facilities or state correctional
31 facilities.

32 5. To require such financial information as may be necessary from and to audit
33 any public or non-public school, and college receiving any public moneys pursuant
34 to any provision of the education law as the commissioner deems appropriate.

35 10. A The commissioner shall determine whether a ~~child,~~ individuals whose report
36 is submitted to the department pursuant to clause (b) or (d) of subparagraph five
37 of paragraph b of subdivision one of section forty-four hundred two of this article or
38 subdivision thirteen of section three hundred ninety-eight of the social services law,
39 will likely need adult services and, if such need will likely exist, develop a
40 recommendation of all appropriate adult programs operated or approved by the
41 department which may be available. If necessary and appropriate, the



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42 commissioner may conduct an evaluation of the child to determine if adult services
43 will be needed. Such recommendation of all programs shall be made available to
44 the parent or guardian of such child as soon as practicable but no later than six
45 months before such child attains the age of twenty-one.

46 ~~e. Notwithstanding paragraphs a and b of this subdivision, the commissioner may~~
47 ~~determine that the education department is not responsible for determining and~~
48 ~~recommending adult services for such child. When such a determination is made it~~
49 ~~shall be made as soon as practicable after receiving the report and the~~
50 ~~commissioner shall promptly notify in writing the committee on special education,~~
51 ~~multidisciplinary team or social services official who sent the report that such~~
52 ~~determination has been made. Such notice shall state the reasons for the~~
53 ~~determination and may recommend a state agency which may be responsible for~~
54 ~~determining and recommending adult services.~~

55 ~~d. Nothing in this subdivision shall be construed to create an entitlement to adult~~
56 ~~services.~~

57 ~~e. A designee of the commissioner may carry out the functions of the~~
58 ~~commissioner described in this subdivision. The student's assessment for adult~~
59 ~~services shall be done at an IEP meeting at the end of 12th grade or before~~
60 ~~graduation from high school.~~

61 **Justification**

62 everyone deserves the right to a fair education. By denying anyone there
63 accommodations you are discriminating against them and their right to an equal
64 education because there disability's. This is a violation of their civil right. Since that
65 cannot control there disability. People with a learning disability have an average
66 intellectual ability. A learning disability is like any other disability and to should be
67 treated as such.

68 **Fiscal Implications**

69 None

70 **Effective Date**

71 This bill will go in to effect one year after passage