

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 203, 305 and 4210 and Chapter 350 of the Laws of 2017.

1. Repeal Part 147 of the Regulations of the Commissioner of Education and a new Part 147 of the Regulations of the Commissioner of Education shall be added as follows:

Part 147

Aid for Blind or Deaf Students

§147.1 Definitions. As used in this Part:

- (a) The Department shall mean the New York State Education Department.
- (b) Academic institution shall mean a college, university, technical or professional school, including agriculture and technical institutes and state institutes of applied arts and sciences, located in this state and authorized by law to grant degrees; or a licensed private career school as defined in Article 101 of New York State Education Law and located in New York State, other than an institution established for the regular instruction of the blind or deaf.
- (c) Academic year shall mean the regular school year beginning September 1 and ending August 31.
- (d) Eligible student shall mean a blind or deaf student who is a citizen of this State and attends an academic institution as defined in this section.
- (e) Technology shall mean equipment, machinery or tools that are used to provide students with supports to read or to assist the student in reading textbooks and/or pamphlets and/or improve the student's ability to read in order to receive instruction in his or her academic studies.

§147.2 Application.

(a) An academic institution seeking funding under this section shall submit an application, on a form prescribed by the Commissioner, identifying the number of eligible students matriculated and attending the academic institution as verified by the president, or the equivalent title, of the academic institution, and the estimated amount of funds requested to support each student. Subject to the annual appropriation, the Department will authorize payment to the applying academic institution in an amount not to exceed \$4,000 for each student for each academic year on a first-come, first serve basis.

(b) Timeline for Submission of Applications.

(1) For the Fall semester, the academic institution shall submit completed applications and all required documentation to the Department by November 1 of the academic year for which funds are requested.

(2) For the Spring semester, the academic institution shall submit completed applications and any required documentation to the Department by March 1 of the academic year for which funds are requested.

(3) For the Summer semester, the academic institution shall submit completed applications and any required documentation to the Department by July 1 of the academic year for which funds are requested.

§147.3 Limitations on Funding

(1) Funding received by an academic institution pursuant to Education Law §4210 shall be used for eligible students for the following purposes:

(a) to provide eligible students with supports to read including the employment of readers, notetakers, interpreters, and/or the purchase of technology to

assist the student in reading from textbooks and pamphlets in his/her studies at the academic institution; or

(b) to aid such student in receiving instruction in such studies.

(2) Any academic institution that receives funding under this section shall ensure that it has a policy in place that requires students that are no longer eligible for Readers Aid to return any technology used by such student and/or purchased by the academic institution on behalf of such student under this section to the academic institution unless such technology becomes obsolete or damaged as determined by such institution. The academic institution shall use any returned technology for other matriculated students in the Readers Aid program unless otherwise approved by the Commissioner or such technology is destroyed or no longer usable.

(3) By September 30 of the academic year for which funds have been provided, the academic institution shall return any unspent funds to the Department.

§147.4 Reporting

(a) By August 31 of the academic year for which funds are provided under the statute, each academic institution receiving funds pursuant to this subdivision shall submit to the Commissioner, on a form and manner prescribed by the Commissioner, a final accounting for the use of such funds. Such accounting shall include:

(1) the actual number of blind or deaf students eligible for aid under this section and matriculated and attending the institution; and

(2) an itemized accounting, per eligible student, for readers aid supports, including any technology purchased with funding under this section during such academic year.

§147.5 Monitoring

In addition to the annual reporting requirements described in section 147.4 of this Part, the Department may conduct periodic reviews of academic institutions to ensure that funding under this section is used in accordance with Education Law §4210 and this Part.