



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

V E T O # 130

TO THE SENATE:

JUL 31 2012

I am returning herewith, without my approval, the following bill:

Senate Bill Number 7722-A, entitled:

“AN ACT to amend the education law, in relation to determinations of appropriate educational programs for certain students”

NOT APPROVED

This legislation would require that each school district “take into account any possible educational impact differences between the school environment and the child's home environment and family background may have on the child's ability to receive a free appropriate public education.” This constitutes an overly broad and ambiguous mandate that would result in incalculable significant additional costs to be borne by every school district and taxpayer.

This proposal would significantly expand the scope of private placements and public reimbursement of private tuition costs at great taxpayer expense. The Mayor of New York City, New York State School Boards Association, National School Boards Association, New York State PTA, New York State United Teachers, Council of Big 5 School Districts, School Administrators Association of New York State, Rural Schools Association, Council of New York Special Education Administrators, New York City Partnership, League of Women Voters and hundreds of school boards, district superintendents and individuals have asked that this mandate not be imposed on New York's taxpayers.

This Administration, through the passage of two State budgets, as well as a property tax cap, mandate relief measures, and other legislation, has successfully sought to reduce mandates and the financial burden on local governments, school districts and taxpayers throughout the State. It is committed to providing the best education and assistance to every child in New York, including children with disabilities. However, this bill unfairly places the burden on taxpayers to support the provision of a private education. While I remain committed to working with the Legislature and those interested in better serving the needs of our State's children, particularly those with special needs, this bill, for the reasons detailed above, is not approved.

This bill is disapproved.

A handwritten signature in black ink, appearing to read 'Andrew Cuomo', written in a cursive style.