

7070

I N S E N A T E

March 22, 2016

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to full day kindergarten

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision 9 of section 3602 of the education law, as
2 amended by section 9 of part A of chapter 57 of the laws of 2013, is
3 amended to read as follows:
4 9. Aid for conversion to full day kindergarten. School districts may
5 make available full day kindergarten programs for all children wishing
6 to attend such programs.
7 a. For aid payable in the [two thousand seven--two thousand eight] TWO
8 THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school year and thereafter,
9 school districts which provided any half-day kindergarten programs or
10 had no kindergarten programs in the [nineteen hundred ninety-six--nine-
11 ty-seven] TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN school year [and in
12 the base year], and which have not received an apportionment pursuant to
13 this paragraph in any prior school year, shall be eligible for FIVE YEAR
14 TRANSITION aid. A DISTRICT SHALL BE ELIGIBLE TO RECEIVE AID BY PROVID-
15 ING FULL DAY KINDERGARTEN PROGRAMS FOR ALL CHILDREN WHO WISH TO ATTEND
16 SUCH PROGRAMS. THE AID IN THE FIRST YEAR OF FULL DAY KINDERGARTEN TRAN-
17 SITION IS equal to the product of the district's selected foundation aid
18 calculated pursuant to subdivision four of this section multiplied by
19 the positive difference resulting when the full day kindergarten enroll-
20 ment of children attending programs in the district in the base year is
21 subtracted from such enrollment in the current year. THE REMAINING TRAN-
22 SITION AID SHALL BE APPORTIONED AS FOLLOWS:
23 I. AID IN YEAR TWO SHALL EQUAL EIGHTY PERCENT OF THE AID RECEIVED BY
24 THE DISTRICT IN YEAR ONE.
25 II. AID IN YEAR THREE SHALL EQUAL SIXTY PERCENT OF THE AID RECEIVED
26 BY THE DISTRICT IN YEAR ONE.
27 III. AID IN YEAR FOUR SHALL EQUAL FORTY PERCENT OF THE AID RECEIVED BY
28 THE DISTRICT IN YEAR ONE.

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

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1 IV. AID IN YEAR FIVE SHALL EQUAL TWENTY PERCENT OF THE AID RECEIVED BY
2 THE DISTRICT IN YEAR ONE.

3 b. [Notwithstanding the provisions of paragraph a of this subdivision,
4 school districts that have received an apportionment pursuant to this
5 subdivision in a prior school year shall be eligible for an apportion-
6 ment where the department grants a waiver upon cause satisfactory to the
7 department, including but not limited to, satisfactory demonstration of
8 significant economic hardship that would impact the school district's
9 ability to provide full day kindergarten for all children wishing to
10 attend such programs. No school district may be granted such a waiver
11 more than once.] ANY SCHOOL DISTRICT THAT PROVIDES FULL DAY KINDERGARTEN
12 PROGRAMS IN THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR
13 OR SCHOOL DISTRICTS WHICH CONVERT TO A FULL DAY KINDERGARTEN PROGRAM IN
14 ANY YEAR THEREAFTER SHALL NOT BE ELIGIBLE FOR FULL DAY KINDERGARTEN
15 CONVERSION AID.

16 S 2. Subdivision 2 of section 3205 of the education law is amended by
17 adding a new paragraph d to read as follows:

18 D. SCHOOL DISTRICTS THAT OFFER FULL DAY KINDERGARTEN PROGRAMS TO ALL
19 CHILDREN IN THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR
20 AND ANY YEAR THEREAFTER SHALL BE REQUIRED TO OFFER FULL DAY KINDERGARTEN
21 TO ALL CHILDREN FIVE YEARS OF AGE ON OR BEFORE DECEMBER FIRST. SUCH
22 SCHOOL DISTRICTS CANNOT REDUCE KINDERGARTEN PROGRAMS TO LESS THAN FULL
23 DAY.

24 S 3. This act shall take effect immediately.