STATE OF NEW YORK

4833

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. O'PHARROW -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to disallowing an application for a charter school to be approved if a school district is under the supervision of a state monitor or fiscal monitor

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

Section 1. Paragraphs (d) and (e) of subdivision 2 of section 2852 of the education law, as amended by section 4-a of part A of chapter 56 of the laws of 2023, are amended and a new paragraph (f) is added to read as follows:

(d) in a school district where the total enrollment of resident students attending charter schools in the base year is greater than five percent of the total public school enrollment of the school district in the base year (i) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school or (ii) the school district in which the charter school will be located consents to such application; [~~and~~]

(e) for applicants for an initial charter pursuant to paragraph (b-1) of subdivision nine of this section in a school district located in a city with a population of one million or more, the total enrollment of students attending charter schools within the community district in which the charter school will be located in the base year is less than or equal to fifty-five percent of the total public school enrollment attending within such community district in the base year[~~.~~]**; and**

(f) a state monitor or fiscal monitor is not operating in such school district.

§ 2. This act shall take effect immediately.

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

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