

# STATE OF NEW YORK

8139

2025-2026 Regular Sessions

## IN SENATE

May 15, 2025

Introduced by Sen. LIU -- 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 the extraordinary needs count for purposes of the apportionment of public moneys to school districts employing eight or more teachers

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

1 Section 1. Paragraph s of subdivision 1 of section 3602 of the educa-  
2 tion law, as amended by section 4-a of part A of chapter 56 of the laws  
3 of 2025, is amended to read as follows:

4 s. "Extraordinary needs count" shall mean the sum of the product of  
5 the English language learner count multiplied by the ELL weight, plus,  
6 the poverty count [~~and~~], the sparsity count, and the count of homeless  
7 children and children or youth in foster care, provided that the 'ELL  
8 weight' shall be five tenths (0.50) for the two thousand twenty-four--  
9 two thousand twenty-five school year and prior, and shall be equal to  
10 fifty-three hundredths (0.53) in the two thousand twenty-five--two thou-  
11 sand twenty-six school year and thereafter.

12 § 2. Subdivision 1 of section 3602 of the education law is amended by  
13 adding a new paragraph nn to read as follows:

14 nn. "Count of homeless children and children or youth in foster care"  
15 shall mean the sum of the product of students identified at any point in  
16 the most recently completed school year as homeless children, as defined  
17 by section thirty-two hundred nine of this chapter, or children or youth  
18 in foster care, as defined by section thirty-two hundred forty-four of  
19 this chapter, multiplied by thirty-two percent.

20 § 3. This act shall take effect July 1, 2025; provided, however, that  
21 if section 4-a of part A of chapter 56 of the laws of 2025 shall not  
22 have taken effect on or before such date then section one of this act  
23 shall take effect on the same date and in the same manner as such part  
24 of such chapter of the laws of 2025, takes effect.

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

LBD13125-01-5