S T A T E O F N E W Y O R K

7695

2009-2010 Regular Sessions

I N A S S E M B L Y

April 22, 2009

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

AN ACT to amend the education law, in relation to allowing an enrollment preference to charter schools for students in certain grade levels in cities with a population of a million or more

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

Section 1. Paragraph (b) of subdivision 2 of section 2854 of the education law, as amended by section 5 of part D-2 of chapter 57 of the laws of 2007, is amended to read as follows:

(b) Any child who is qualified under the laws of this state for admission to a public school is qualified for admission to a charter school. The school shall enroll each eligible student who submits a timely application by the first day of April each year, unless the number of applications exceeds the capacity of the grade level or building. In such cases, students shall be accepted from among applicants by a random selection process, provided, however, that an enrollment preference shall be provided to pupils returning to the charter school in the second or any subsequent year of operation and pupils residing in the school district in which the charter school is located, and siblings of pupils already enrolled in the charter school. For the purposes of this paragraph and paragraph (a) of this subdivision, the school district in which the charter school is located shall mean, for the city school district of the city of New York, the community district in which the charter school is located, PROVIDED, HOWEVER, THAT A CHARTER SCHOOL LOCATED IN THE CITY SCHOOL DISTRICT OF NEW YORK MAY PROVIDE AN ENROLLMENT PREFERENCE TO PUPILS ENTERING ANY GRADES FIVE THROUGH TWELVE ON A CITY-WIDE BASIS.

S 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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