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

9165

2009-2010 Regular Sessions

I N A S S E M B L Y

September 30, 2009

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

AN ACT to amend the education law, in relation to charter schools operating at multiple sites

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

Section 1. Paragraph (b-1) of subdivision 1 of section 2853 of the education law, as added by chapter 4 of the laws of 1998, is amended to read as follows:

(b-1) An education corporation operating a charter school shall not be authorized to operate more than one school [or] BUT MAY BE AUTHORIZED TO house any grade at more than one site[, provided that:

(A) a]. A CHARTER SCHOOL HOUSING ANY GRADE AT MORE THAN ONE SITE SHALL HAVE EACH SUCH ADDITIONAL SITE DEEMED AS A CHARTER ISSUED FOR THE PURPOSES OF SUBDIVISION NINE OF SECTION TWENTY-EIGHT HUNDRED FIFTY-TWO OF THIS ARTICLE. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, APPROVAL OF REVISION TO A CHARTER OR CHARTERS TO AUTHORIZE AN EDUCATION CORPORATION TO HOUSE ANY GRADE OR GRADES AT MORE THAN ONE SITE, INCLUDING THE MERGER OR CONSOLIDATION OF EXISTING EDUCATION CORPORATIONS OPERATING CHARTER SCHOOLS TO A SINGLE EDUCATION CORPORATION, SHALL BE MADE IN ACCORDANCE WITH PARAGRAPH (A) OF SUBDIVISION SEVEN OF SECTION TWENTY-EIGHT HUNDRED FIFTY-TWO OF THIS ARTICLE. IF A CHARTER SCHOOL HAS EMPLOYEES WHO ARE MEMBERS OF A COLLECTIVE BARGAINING ORGANIZATION PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW THAT MERGES OR CONSOLIDATES WITH A CHARTER SCHOOL WHOSE EMPLOYEES ARE NOT MEMBERS OF A COLLECTIVE BARGAINING ORGANIZATION, EMPLOYEES OF THE MERGED OR CONSOLIDATED CHARTER SCHOOL SHALL BE MEMBERS OF THE COLLECTIVE BARGAINING ORGANIZATION THAT REPRESENTED LIKE POSITIONS, IF ANY, PRIOR TO THE MERGER OR CONSOLIDATION. A charter school may operate in more than one building at a single site; and [(B)] a charter school which provides instruction to its students at different locations for a portion of

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

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their school day shall be deemed to be operating at a single site; AND A CHARTER SCHOOL OPERATING AT MORE THAN ONE SITE BUT WHICH HOUSES EACH GRADE AT A SINGLE SITE SHALL BE DEEMED TO BE OPERATING AT A SINGLE SITE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.