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

336

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sens. BRESLIN, SCHNEIDERMAN -- 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 local approval of charter schools in certain districts

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

Section 1. The education law is amended by adding a new section 2851-a to read as follows:

S 2851-A. PROCEDURES FOR LOCAL APPROVAL OF CHARTER SCHOOLS IN CERTAIN DISTRICTS. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ARTICLE TO THE CONTRARY, PRIOR TO THE ESTABLISHMENT OF A CHARTER SCHOOL PROPOSED IN A SCHOOL DISTRICT THAT IS SUBJECT TO SECTION NINETEEN HUNDRED SIX, TWO THOUSAND TWENTY-TWO OR TWENTY-SIX HUNDRED ONE-A OF THIS TITLE, AN APPLICANT SHALL SUBMIT SUCH CHARTER APPLICATION TO THE LOCAL SCHOOL BOARD. THE APPLICATION SHALL INCLUDE AN ECONOMIC AND FINANCIAL IMPACT STATEMENT FOR THE LOCAL SCHOOL DISTRICT, WHICH SHALL BE IN ADDITION TO ANY OTHER NECESSARY INFORMATION REGARDING THE APPLICANT'S ABILITY TO OPERATE A SCHOOL AND TO IMPROVE STUDENT TESTING. IF THE CHARTER SCHOOL APPLICATION IS NOT APPROVED BY THE LOCAL SCHOOL BOARD, THAT CHARTER SCHOOL APPLICATION SHALL BE DEEMED DISAPPROVED AND SHALL NOT BE SUBMITTED TO THE CHARTER ENTITY FOR AN APPROVAL. THE APPLICANT MAY SUBMIT AN APPLICATION FOR A SECOND TIME, BUT SUCH APPLICATION SHALL NOT BE SUBMITTED TO THE LOCAL SCHOOL BOARD UNTIL THE FOLLOWING CALENDAR YEAR. NOTWITHSTANDING THE PROCEDURES FOR LOCAL APPROVAL OF CHARTER SCHOOLS, IN CITIES WITH A POPULATION OF ONE MILLION OR MORE THE CHANCELLOR SHALL APPROVE OR DISAPPROVE OF SUCH CHARTER SCHOOL APPLICATIONS.

S 2. This act shall take effect on the first of July next succeeding the date on which it shall have become a law.

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

LBD03419-01-9