

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

5049--A

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. SMITH -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

1 Section 1. Paragraph (b-1) of subdivision 1 of section 2853 of the
2 education law, as added by chapter 4 of the laws of 1998, is amended to
3 read as follows:
4 (b-1) An education corporation operating a charter school shall not be
5 authorized to operate more than one school [or] BUT MAY BE AUTHORIZED TO
6 house any grade at more than one site[, provided that:
7 (A) a]. A CHARTER SCHOOL HOUSING ANY GRADE AT MORE THAN ONE SITE SHALL
8 HAVE EACH SUCH ADDITIONAL SITE DEEMED AS A CHARTER ISSUED FOR THE
9 PURPOSES OF SUBDIVISION NINE OF SECTION TWENTY-EIGHT HUNDRED FIFTY-TWO
10 OF THIS ARTICLE. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER,
11 APPROVAL OF REVISION TO A CHARTER OR CHARTERS TO AUTHORIZE AN EDUCATION
12 CORPORATION TO HOUSE ANY GRADE OR GRADES AT MORE THAN ONE SITE, INCLUD-
13 ING THE MERGER OR CONSOLIDATION OF EXISTING EDUCATION CORPORATIONS OPER-
14 ATING CHARTER SCHOOLS TO A SINGLE EDUCATION CORPORATION, SHALL BE MADE
15 IN ACCORDANCE WITH PARAGRAPH (A) OF SUBDIVISION SEVEN OF SECTION TWEN-
16 TY-EIGHT HUNDRED FIFTY-TWO OF THIS ARTICLE. IF A CHARTER SCHOOL HAS
17 EMPLOYEES WHO ARE MEMBERS OF A COLLECTIVE BARGAINING ORGANIZATION PURSU-
18 ANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW THAT MERGES OR CONSOL-
19 IDATES WITH A CHARTER SCHOOL WHOSE EMPLOYEES ARE NOT MEMBERS OF A
20 COLLECTIVE BARGAINING ORGANIZATION, EMPLOYEES OF THE MERGED OR CONSOL-
21 IDATED CHARTER SCHOOL SHALL BE MEMBERS OF THE COLLECTIVE BARGAINING
22 ORGANIZATION THAT REPRESENTED LIKE POSITIONS, IF ANY, PRIOR TO THE MERG-
23 ER OR CONSOLIDATION. A charter school may operate in more than one

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

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1 building at a single site; and [(B)] a charter school which provides
2 instruction to its students at different locations for a portion of
3 their school day shall be deemed to be operating at a single site; AND A
4 CHARTER SCHOOL OPERATING AT MORE THAN ONE SITE BUT WHICH HOUSES EACH
5 GRADE AT A SINGLE SITE SHALL BE DEEMED TO BE OPERATING AT A SINGLE SITE.
6 S 2. This act shall take effect on the ninetieth day after it shall
7 have become a law.