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

5177

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. C. JOHNSON -- 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 authorizing charter schools to house any grade at more than one site

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 and a new paragraph (b-2) is added 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. 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 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.

(B-2) 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,

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

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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.

S 2. This act shall take effect immediately.