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

8017

I N S E N A T E

May 28, 2010

Introduced by Sen. OPPENHEIMER -- 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 charter schools

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

Section 1. Paragraph (a) of subdivision 9-a of section 2852 of the education law, as added by a chapter of the laws of 2010, amending the education law relating to charter schools, as proposed in legislative bills numbers S. 7990 and A. 11310, is amended to read as follows:

(a) The board of regents is hereby authorized and directed to issue two hundred sixty charters pursuant to a competitive request for proposals process.

(i) Commencing on August first, two thousand ten THROUGH SEPTEMBER FIRST, TWO THOUSAND THIRTEEN, the board of regents and the board of trustees of the state university of New York shall each issue a request for proposals in accordance with this subdivision and this subparagraph:

(1) Each request for proposals to be issued by the board of regents and the board of trustees of the state university of New York on August first, two thousand ten shall be for a maximum of thirty-two charters to be issued for charter schools which would commence instructional operation by the September of the next calendar year.

(2) Each request for proposals to be issued by the board of regents and the board of trustees of the state university of New York on January first, two thousand eleven shall be for a maximum of thirty-three charters to be issued for charter schools which would commence instructional operation by the September of the next calendar year.

(3) Each request for proposals to be issued by the board of regents and the board of trustees of the state university of New York on January first, two thousand twelve shall be for a maximum of thirty-two charters to be issued for charter schools which would commence instructional operation by the September of the next calendar year.

(4) Each request for proposals to be issued by the board of regents and the board of trustees of the state university of New York on September first, two thousand thirteen shall be for a maximum of thirty-three

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

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charters to be issued for charter schools which would commence instructional operation by the September of the next calendar year.

(ii) IF AFTER SEPTEMBER FIRST, TWO THOUSAND THIRTEEN, EITHER THE BOARD OF REGENTS OR THE BOARD OF TRUSTEES OF THE STATE UNIVERSITY OF NEW YORK HAVE ANY CHARTERS WHICH HAVE NOT YET BEEN ISSUED, THEY MAY BE ISSUED PURSUANT TO REQUESTS FOR PROPOSALS ISSUED IN EACH SUCCEEDING YEAR, WITHOUT LIMITATION AS TO WHEN SUCH REQUESTS FOR PROPOSALS MAY BE ISSUED, OR A LIMITATION ON THE NUMBER OF CHARTERS WHICH MAY BE ISSUED.

(III) Notwithstanding the provisions of clauses one, two, three and four of subparagraph (i) of this paragraph AND SUBPARAGRAPH (II) OF THIS PARAGRAPH, if fewer charters are issued than were requested in [the] SUCH request for proposals, the difference may be added to the number of charters requested in the request for proposals ISSUED in [the] EACH succeeding year.

[(iii)] (IV) The board of regents shall make a determination to issue a charter pursuant to a request for proposals no later than December thirty-first of each year.

S 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2010, amending the education law relating to charter schools, as proposed in legislative bills numbers S. 7990 and A. 11310, takes effect.