

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 oper-
ating at multiple sites

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, 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
24 building at a single site; and [(B)] a charter school which provides
25 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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1 their school day shall be deemed to be operating at a single site; AND A
2 CHARTER SCHOOL OPERATING AT MORE THAN ONE SITE BUT WHICH HOUSES EACH
3 GRADE AT A SINGLE SITE SHALL BE DEEMED TO BE OPERATING AT A SINGLE SITE.
4 S 2. This act shall take effect on the ninetieth day after it shall
5 have become a law.