

8441

2011-2012 Regular Sessions

I N   A S S E M B L Y

June 15, 2011

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Introduced by M. of A. NOLAN -- read once and referred to the Committee  
on Education

AN ACT to amend the education law, in relation to grants for universal  
prekindergarten

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

1     Section 1. The opening paragraph of subdivision 10 of section 3602-e  
2     of the education law, as amended by section 38 of part A of chapter 58  
3     of the laws of 2011, is amended to read as follows:  
4     Notwithstanding any provision of law to the contrary, for aid payable  
5     in the two thousand eight--two thousand nine school year, the grant to  
6     each eligible school district for universal prekindergarten aid shall be  
7     computed pursuant to this subdivision, and for the two thousand nine--  
8     two thousand ten and two thousand ten--two thousand eleven school years,  
9     each school district shall be eligible for a maximum grant equal to the  
10    amount computed for such school district for the base year in the elec-  
11    tronic data file produced by the commissioner in support of the two  
12    thousand nine--two thousand ten education, labor and family assistance  
13    budget, provided, however, that in the case of a district implementing  
14    programs for the first time or implementing expansion programs in the  
15    two thousand eight--two thousand nine school year where such programs  
16    operate for a minimum of ninety days in any one school year as provided  
17    in section 151-1.4 of the regulations of the commissioner, for the two  
18    thousand nine--two thousand ten and two thousand ten--two thousand elev-  
19    en school years, such school district shall be eligible for a maximum  
20    grant equal to the amount computed pursuant to paragraph a of subdivi-  
21    sion nine of this section in the two thousand eight--two thousand nine  
22    school year, and for the two thousand eleven--two thousand twelve and  
23    two thousand twelve--two thousand thirteen school years each school  
24    district shall be eligible for a maximum grant equal to the amount set  
25    forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the

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

LBD13122-01-1

1 heading "2011-12 ESTIMATED AIDS" in the school aid computer listing  
2 produced by the commissioner in support of the enacted budget for the  
3 2011-12 school year and entitled "SA111-2", PROVIDED, HOWEVER, THAT  
4 WHERE A SCHOOL DISTRICT HAS SUBMITTED CORRECTED DATA TO THE DEPARTMENT  
5 PRIOR TO THE ENACTMENT OF CHAPTER FIFTY-EIGHT OF THE LAWS OF TWO THOU-  
6 SAND ELEVEN AND SUCH CORRECTED DATA IS NOT REFLECTED IN SUCH COMPUTER  
7 LISTING, THE MAXIMUM GRANT AWARD SHALL BE ADJUSTED TO REFLECT SUCH  
8 CORRECTED DATA, and provided further that the maximum grant shall not  
9 exceed the total actual grant expenditures incurred by the school  
10 district in the current school year as approved by the commissioner.

11 S 2. Subdivision 11 of section 3602-e of the education law, as amended  
12 by section 19 of part B of chapter 57 of the laws of 2007, is amended to  
13 read as follows:

14 11. Notwithstanding the provisions of subdivision ten of this section,  
15 where the district serves fewer children during the current year than  
16 THE LESSER OF THE CHILDREN SERVED in the base year OR THE MAXIMUM AIDA-  
17 BLE PREKINDERGARTEN PUPILS COMPUTED FOR THE CURRENT YEAR, the school  
18 district shall have its apportionment reduced in an amount proportional  
19 to such deficiency in the current year or in the succeeding school year,  
20 as determined by the commissioner, except such reduction shall not apply  
21 to school districts which have fully implemented a universal pre-kinder-  
22 garten program by making such program available to all eligible chil-  
23 dren. Expenses incurred by the school district in implementing a pre-  
24 kindergarten program plan pursuant to this subdivision shall be deemed  
25 ordinary contingent expenses.

26 S 3. This act shall take effect immediately; provided that section two  
27 of this act shall be deemed to have been in full force and effect on and  
28 after July 1, 2010; and provided further that section one of this act  
29 shall take effect on the same date and in the same manner as section 38  
30 of part A of chapter 58 of the laws of 2011, takes effect.