

1445

2011-2012 Regular Sessions

I N   S E N A T E

January 7, 2011

---

Introduced by Sen. BRESLIN -- 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 local approval of charter schools in certain districts

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

1     Section 1. The education law is amended by adding a new section 2851-a  
2     to read as follows:  
3     S 2851-A. PROCEDURES FOR LOCAL APPROVAL OF CHARTER SCHOOLS IN CERTAIN  
4     DISTRICTS. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ARTICLE TO THE  
5     CONTRARY, PRIOR TO THE ESTABLISHMENT OF A CHARTER SCHOOL PROPOSED IN A  
6     SCHOOL DISTRICT THAT IS SUBJECT TO SECTION NINETEEN HUNDRED SIX, TWO  
7     THOUSAND TWENTY-TWO OR TWENTY-SIX HUNDRED ONE-A OF THIS TITLE, AN APPLI-  
8     CANT SHALL SUBMIT SUCH CHARTER APPLICATION TO THE LOCAL SCHOOL BOARD.  
9     THE APPLICATION SHALL INCLUDE AN ECONOMIC AND FINANCIAL IMPACT STATEMENT  
10    FOR THE LOCAL SCHOOL DISTRICT, WHICH SHALL BE IN ADDITION TO ANY OTHER  
11    NECESSARY INFORMATION REGARDING THE APPLICANT'S ABILITY TO OPERATE A  
12    SCHOOL AND TO IMPROVE STUDENT TESTING. IF THE CHARTER SCHOOL APPLICATION  
13    IS NOT APPROVED BY THE LOCAL SCHOOL BOARD, THAT CHARTER SCHOOL APPLICA-  
14    TION SHALL BE DEEMED DISAPPROVED AND SHALL NOT BE SUBMITTED TO THE CHAR-  
15    TER ENTITY FOR AN APPROVAL. THE APPLICANT MAY SUBMIT AN APPLICATION FOR  
16    A SECOND TIME, BUT SUCH APPLICATION SHALL NOT BE SUBMITTED TO THE LOCAL  
17    SCHOOL BOARD UNTIL THE FOLLOWING CALENDAR YEAR. NOTWITHSTANDING THE  
18    PROCEDURES FOR LOCAL APPROVAL OF CHARTER SCHOOLS, IN CITIES WITH A POPU-  
19    LATION OF ONE MILLION OR MORE THE CHANCELLOR SHALL APPROVE OR DISAPPROVE  
20    OF SUCH CHARTER SCHOOL APPLICATIONS.  
21    S 2. This act shall take effect on the first of July next succeeding  
22    the date on which it shall have become a law.

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

LBD05109-01-1