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

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2011-2012 Regular Sessions

I N A S S E M B L Y

January 12, 2011

Introduced by M. of A. McENENY, JACOBS, GLICK, CLARK -- Multi-Sponsored by -- M. of A. ABBATE, CAHILL, GOTTFRIED, MARKEY, PRETLOW, WEISENBERG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to eligibility to establish a charter school

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

Section 1. Subdivision 1 of section 2851 of the education law, as amended by chapter 101 of the laws of 2010, is amended to read as follows:

1. An application to establish a charter school may be submitted by teachers, parents, school administrators, community residents or any combination thereof. Such application may be filed in conjunction with a college, university, museum, educational institution, OR not-for-profit corporation exempt from taxation under paragraph 3 of subsection (c) of section 501 of the internal revenue code [or for-profit business or corporate entity authorized to do business in New York state. Provided however, for-profit]. FOR-PROFIT business or corporate entities shall not be eligible to submit an application to establish a charter school pursuant to subdivision nine-a of section twenty-eight hundred fifty-two of this article, or operate or manage a charter school for a charter issued pursuant to subdivision nine-a of section twenty-eight hundred fifty-two of this article AND UNDER NO CIRCUMSTANCES SHALL AN APPLICATION TO ESTABLISH A CHARTER SCHOOL OR APPROVAL TO OPERATE A CHARTER SCHOOL BE GRANTED TO A FOR-PROFIT BUSINESS OR CORPORATE ENTITY AUTHORIZED TO DO BUSINESS IN THIS STATE. [For charter schools established in conjunction with a for-profit business or corporate entity, the charter shall specify the extent of the entity's participation in the management and operation of the school.]

S 2. This act shall take effect immediately, and shall apply to all applications to establish a charter school pending or submitted prior to such effective date and still pending as well as to all applications submitted on or after the effective date of this act.

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

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