

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

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2011-2012 Regular Sessions

I N S E N A T E

January 14, 2011

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to charter school tuition

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

1 Section 1. Subparagraph (iii) of paragraph (a) of subdivision 1 of
2 section 2856 of the education law, as added by section 21 of part A of
3 chapter 58 of the laws of 2011, is amended to read as follows:
4 (iii) for the two thousand ten--two thousand eleven through [two thou-
5 sand twelve--two thousand thirteen] TWO THOUSAND ELEVEN--TWO THOUSAND
6 TWELVE school years, the charter school basic tuition shall be the basic
7 tuition computed for the two thousand ten--two thousand eleven school
8 year pursuant to the provisions of subparagraph (i) of this paragraph;
9 (IV) FOR THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN SCHOOL YEAR,
10 THE CHARTER SCHOOL BASIC TUITION SHALL BE THE BASIC TUITION COMPUTED FOR
11 THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR PURSUANT TO THE
12 PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, PROVIDED, HOWEVER,
13 THAT FOR A SCHOOL DISTRICT WITH PUBLIC SCHOOL DISTRICT ENROLLMENT FOR
14 THE BASE YEAR, CALCULATED PURSUANT TO SUBPARAGRAPH TWO OF PARAGRAPH N OF
15 SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER, IN
16 EXCESS OF FIVE THOUSAND PUPILS, WHERE THE QUOTIENT OF THE BASE YEAR
17 RESIDENT PUPILS ENROLLED IN CHARTER SCHOOLS OTHER THAN CHARTER SCHOOLS
18 CONVERTED FROM AN EXISTING PUBLIC SCHOOL AND FORMED BY A SCHOOL DISTRICT
19 AS A CHARTER ENTITY PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF
20 SECTION TWENTY-EIGHT HUNDRED FIFTY-ONE OF THIS ARTICLE, DIVIDED BY THE
21 PUBLIC SCHOOL DISTRICT ENROLLMENT FOR THE BASE YEAR, CALCULATED PURSUANT

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

LBD06158-12-2

1 TO SUBPARAGRAPH TWO OF PARAGRAPH N OF SUBDIVISION ONE OF SECTION THIR-
2 TY-SIX HUNDRED TWO OF THIS CHAPTER IS TWENTY PERCENT OR MORE, BASED ON
3 DATA ON FILE WITH THE COMMISSIONER AND IN THE DATABASE USED BY THE
4 COMMISSIONER TO PRODUCE AN UPDATED ELECTRONIC DATA FILE ON FEBRUARY
5 FIFTEENTH, TWO THOUSAND TWELVE PURSUANT TO PARAGRAPH B OF SUBDIVISION
6 TWENTY-ONE OF SECTION THREE HUNDRED FIVE OF THIS CHAPTER, THE CHARTER
7 SCHOOL BASIC TUITION SHALL BE THE BASIC TUITION COMPUTED FOR THE TWO
8 THOUSAND NINE--TWO THOUSAND TEN SCHOOL YEAR PURSUANT TO THE PROVISIONS
9 OF SUBPARAGRAPH (II) OF THIS PARAGRAPH.

10 S 2. Subparagraph (iii) of paragraph (a) of subdivision 1 of section
11 2856 of the education law, as amended by section 22 of part A of chapter
12 58 of the laws of 2011, is amended to read as follows:

13 (iii) for the two thousand ten--two thousand eleven through [two thou-
14 sand twelve--two thousand thirteen] TWO THOUSAND ELEVEN--TWO THOUSAND
15 TWELVE school years, the charter school basic tuition shall be the basic
16 tuition computed for the two thousand ten--two thousand eleven school
17 year pursuant to the provisions of subparagraph (i) of this paragraph;

18 (IV) FOR THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN SCHOOL YEAR,
19 THE CHARTER SCHOOL BASIC TUITION SHALL BE THE BASIC TUITION COMPUTED FOR
20 THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR PURSUANT TO THE
21 PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, PROVIDED, HOWEVER,
22 THAT FOR A SCHOOL DISTRICT WITH PUBLIC SCHOOL DISTRICT ENROLLMENT FOR
23 THE BASE YEAR, CALCULATED PURSUANT TO SUBPARAGRAPH TWO OF PARAGRAPH N OF
24 SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER, IN
25 EXCESS OF FIVE THOUSAND PUPILS, WHERE THE QUOTIENT OF THE BASE YEAR
26 RESIDENT PUPILS ENROLLED IN CHARTER SCHOOLS OTHER THAN CHARTER SCHOOLS
27 CONVERTED FROM AN EXISTING PUBLIC SCHOOL AND FORMED BY A SCHOOL DISTRICT
28 AS A CHARTER ENTITY PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF
29 SECTION TWENTY-EIGHT HUNDRED FIFTY-ONE OF THIS ARTICLE, DIVIDED BY THE
30 PUBLIC SCHOOL DISTRICT ENROLLMENT FOR THE BASE YEAR, CALCULATED PURSUANT
31 TO SUBPARAGRAPH TWO OF PARAGRAPH N OF SUBDIVISION ONE OF SECTION THIR-
32 TY-SIX HUNDRED TWO OF THIS CHAPTER IS TWENTY PERCENT OR MORE, BASED ON
33 DATA ON FILE WITH THE COMMISSIONER AND IN THE DATABASE USED BY THE
34 COMMISSIONER TO PRODUCE AN UPDATED ELECTRONIC DATA FILE ON FEBRUARY
35 FIFTEENTH, TWO THOUSAND TWELVE PURSUANT TO PARAGRAPH B OF SUBDIVISION
36 TWENTY-ONE OF SECTION THREE HUNDRED FIVE OF THIS CHAPTER, THE CHARTER
37 SCHOOL BASIC TUITION SHALL BE THE BASIC TUITION COMPUTED FOR THE TWO
38 THOUSAND NINE--TWO THOUSAND TEN SCHOOL YEAR PURSUANT TO THE PROVISIONS
39 OF SUBPARAGRAPH (II) OF THIS PARAGRAPH.

40 S 3. This act shall take effect immediately; provided that the amend-
41 ments to subdivision 1 of section 2856 of the education law made by
42 section one of this act shall not affect the expiration of such subdivi-
43 sion as provided in chapter 378 of the laws of 2007, as amended, when
44 upon such date the provisions of section two of this act shall take
45 effect.