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

4043

2013-2014 Regular Sessions

I N A S S E M B L Y

January 30, 2013

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

AN ACT to amend the education law, in relation to permitting school districts outside the city of New York to pass on the district's percentage reduction in state aid to charter schools

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

Section 1. Paragraph (a) of subdivision 1 of section 2856 of the education law, as amended by section 21 of part A of chapter 58 of the laws of 2011, is amended to read as follows:

(a) The enrollment of students attending charter schools shall be included in the enrollment, attendance, membership and, if applicable, count of students with disabilities of the school district in which the pupil resides. The charter school shall report all such data to the school districts of residence in a timely manner. Each school district shall report such enrollment, attendance and count of students with disabilities to the department. The school district of residence shall pay directly to the charter school for each student enrolled in the charter school who resides in the school district the charter school basic tuition, which shall be:

(i) for school years prior to the two thousand nine--two thousand ten school year and for school years following the two thousand twelve--two thousand thirteen school year, an amount equal to one hundred percent of the amount calculated pursuant to paragraph f of subdivision one of section thirty-six hundred two of this chapter for the school district for the year prior to the base year increased by the percentage change in the state total approved operating expense calculated pursuant to paragraph t of subdivision one of section thirty-six hundred two of this chapter from two years prior to the base year to the base year;

(ii) for the two thousand nine--two thousand ten school year, the charter school basic tuition shall be the amount payable by such

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

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district as charter school basic tuition for the two thousand eight--two thousand nine school year;

(iii) for the two thousand ten--two thousand eleven through two thousand twelve--two thousand thirteen school years, the charter school basic tuition shall be the basic tuition computed for the two thousand ten--two thousand eleven school year pursuant to the provisions of subparagraph (i) of this paragraph. NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW TO THE CONTRARY AND EXCEPT FOR A CITY WITH ONE MILLION INHABITANTS OR MORE, A BOARD OF EDUCATION MAY REDUCE THE BASIC TUITION FOR THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN AND TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEARS BY THE DISTRICT'S NET GAP ELIMINATION ADJUSTMENT PERCENTAGE FOR SUCH YEARS AS DETERMINED BY THE COMMISSIONER PURSUANT TO THIS CHAPTER.

S 2. This act shall take effect immediately, provided, however that the amendments to paragraph (a) of subdivision 1 of section 2856 of the education law made by section one of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith.