

1160

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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 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
22 TO SUBPARAGRAPH TWO OF PARAGRAPH N OF SUBDIVISION ONE OF SECTION THIR-
23 TY-SIX HUNDRED TWO OF THIS CHAPTER IS TWENTY PERCENT OR MORE, BASED ON
24 DATA ON FILE WITH THE COMMISSIONER AND IN THE DATABASE USED BY THE
25 COMMISSIONER TO PRODUCE AN UPDATED ELECTRONIC DATA FILE ON FEBRUARY

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

LBD01963-01-3

1 FIFTEENTH, TWO THOUSAND TWELVE PURSUANT TO PARAGRAPH B OF SUBDIVISION
2 TWENTY-ONE OF SECTION THREE HUNDRED FIVE OF THIS CHAPTER, THE CHARTER
3 SCHOOL BASIC TUITION SHALL BE THE BASIC TUITION COMPUTED FOR THE TWO
4 THOUSAND NINE--TWO THOUSAND TEN SCHOOL YEAR PURSUANT TO THE PROVISIONS
5 OF SUBPARAGRAPH (II) OF THIS PARAGRAPH.

6 S 2. Subparagraph (iii) of paragraph (a) of subdivision 1 of section
7 2856 of the education law, as amended by section 22 of part A of chapter
8 58 of the laws of 2011, is amended to read as follows:

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

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

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