

2874

2013-2014 Regular Sessions

I N   S E N A T E

January 24, 2013

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Introduced by Sen. SMITH -- 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 the housing of grades at charter schools

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

1     Section 1. Paragraph (b-1) of subdivision 1 of section 2853 of the  
2     education law, as amended by chapter 101 of the laws of 2010, is amended  
3     to read as follows:  
4     (b-1) An education corporation operating a charter school shall be  
5     authorized to operate more than one school or house any grade at more  
6     than one site, provided that a charter must be issued for each such  
7     additional school or site in accordance with the requirements for the  
8     issuance of a charter pursuant to this article and that each such addi-  
9     tional school or site shall count as a charter issued pursuant to subdivi-  
10    sion nine of section twenty eight hundred fifty-two of this article [;  
11    and provided further that:  
12    (A) a]. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, APPROVAL  
13    OF REVISIONS TO A CHARTER OR CHARTERS TO AUTHORIZE AN EDUCATION CORPO-  
14    RATION TO HOUSE ANY GRADE OR GRADES AT MORE THAN ONE SITE, INCLUDING THE  
15    MERGER OR CONSOLIDATION OF EXISTING EDUCATION CORPORATIONS OPERATING  
16    CHARTER SCHOOLS TO A SINGLE EDUCATION CORPORATION, SHALL BE MADE IN  
17    ACCORDANCE WITH PARAGRAPH (A) OF SUBDIVISION SEVEN OF SECTION  
18    TWENTY-EIGHT HUNDRED FIFTY-TWO OF THIS ARTICLE. UPON SUCH MERGER OR  
19    CONSOLIDATION, THE SURVIVING OR CONSOLIDATED EDUCATION CORPORATION, PLUS  
20    ANY SUCH ADDITIONAL SITES, SHALL EACH BE COUNTED AS A CHARTER ISSUED FOR  
21    THE PURPOSES OF SUBDIVISION NINE OF SECTION TWENTY-EIGHT HUNDRED FIFTY-  
22    TWO OF THIS ARTICLE. IF A CHARTER SCHOOL HAS EMPLOYEES WHO ARE MEMBERS  
23    OF A COLLECTIVE BARGAINING ORGANIZATION PURSUANT TO ARTICLE FOURTEEN OF  
24    THE CIVIL SERVICE LAW THAT MERGES OR CONSOLIDATES WITH A CHARTER SCHOOL  
25    WHOSE EMPLOYEES ARE NOT MEMBERS OF A COLLECTIVE BARGAINING ORGANIZATION,

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

LBD07225-01-3

1 EMPLOYEES OF THE MERGED OR CONSOLIDATED CHARTER SCHOOL SHALL BE MEMBERS  
2 OF THE COLLECTIVE BARGAINING ORGANIZATION THAT REPRESENTED LIKE POSI-  
3 TIONS, IF ANY, PRIOR TO THE MERGER OR CONSOLIDATION. A charter school  
4 may operate in more than one building at a single site; and  
5 [(B)] a charter school which provides instruction to its students at  
6 different locations for a portion of their school day shall be deemed to  
7 be operating at a single site; AND A CHARTER SCHOOL OPERATING AT MORE  
8 THAN ONE SITE BUT WHICH HOUSES EACH GRADE AT A SINGLE SITE SHALL BE  
9 DEEMED TO BE OPERATING AT A SINGLE SITE.  
10 S 2. This act shall take effect on the ninetieth day after it shall  
11 have become a law.