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1784

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013
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Introduced by M. of A. MILLMAN, STEVENSON, ORTIZ, JAFFEE, JACOBS, COLTON, MAISEL, WEISENBERG, GIBSON, TITONE, BARRON, COOK, WEPRIN, ROSENTHAL -- Multi-Sponsored by -- M. of A. BRENNAN, CAHILL, CAMARA, MARKEY, RIVERA, SCHIMEL, WRIGHT -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring that all students attending schools scheduled to be closed or to undergo a significant change be assigned to new schools prior to the implementation of the closing or change

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

1   Section 1. Paragraphs (b) and (e) of subdivision 2-a of section 2590-h
2 of the education law, as amended by chapter 345 of the laws of 2009, are
3 amended to read as follows:
4   (b) Such educational impact statement shall include the following
5 information regarding the proposed school closing or significant change
6 in school utilization:
7   (i) the current and projected pupil enrollment of the affected school,
8 the prospective need for such school building, the ramifications of such
9 school closing or significant change in school utilization upon the
10 community, initial costs and savings resulting from such school closing
11 or significant change in school utilization, the potential disposability
12 of any closed school;
13   (ii) the impacts of the proposed school closing or significant change
14 in school utilization to any affected students;
15   (iii) an outline of any proposed or potential use of the school build-
16 ing for other educational programs or administrative services;
17   (iv) the effect of such school closing or significant change in school
18 utilization on personnel needs, the costs of instruction, adminis-
19 tration, transportation, and other support services;

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

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1   (v) the type, age, and physical condition of such school building,
2 maintenance, and energy costs, recent or planned improvements to such
3 school building, and such building's special features;
4   (vi) the ability of other schools in the affected community district
5 to accommodate pupils following the school closure or significant change
6 in school utilization, THE CURRENT AND PROJECTED PUPIL ENROLLMENT AT
7 EACH SUCH OTHER SCHOOL AND A LIST OF AFFECTED SCHOOL STUDENTS SCHEDULED
8 TO ATTEND EACH SUCH OTHER SCHOOL; and
9   (vii) information regarding such school's academic performance includ-
10 ing whether such school has been identified as a school under registra-
11 tion review or has been identified as a school requiring academic
12 progress, a school in need of improvement, or a school in corrective
13 action or restructuring status.
14   (e) (I) Except as otherwise provided in paragraph (f) of this subdivi-
15 sion, all proposed school closings or significant changes in school
16 utilization shall be approved by the city board pursuant to section
17 twenty-five hundred ninety-g of this article and shall not take effect
18 until all the provisions of this subdivision have been satisfied and the
19 school year in which such city board approval was granted, has ended.
20   (II) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (F) OF THIS SUBDIVI-
21 SION, NO PROPOSED SCHOOL CLOSING OR SIGNIFICANT CHANGE IN SCHOOL UTILI-
22 ZATION SHALL TAKE EFFECT UNTIL ALL PUPILS IN THE AFFECTED SCHOOL HAVE
23 BEEN ASSIGNED TO NEW SCHOOLS WITHIN THE CITY OF NEW YORK AND THE CHAN-
24 CELLOR HAS VERIFIED THAT EACH NEW SCHOOL WITHIN THE CITY OF NEW YORK
25 ACCEPTING STUDENTS FROM THE AFFECTED SCHOOL CAN ACCOMMODATE SUCH PUPILS
26 AS WELL AS AN ADDITIONAL INCREASE IN THE TOTAL NUMBER OF PUPILS OF NO
27 LESS THAN TEN PERCENT OF THE TOTAL SCHOOL PUPIL POPULATION.
28   S 2. This act shall take effect immediately; provided that the amend-
29 ments to section 2590-h of the education law made by section one of this
30 act shall not affect the expiration of such section and shall be deemed
31 to expire therewith.