

7714

2013-2014 Regular Sessions

I N A S S E M B L Y

May 31, 2013

Introduced by M. of A. McDONALD, FAHY, NOLAN -- read once and referred
to the Committee on Education

AN ACT to amend the education law, in relation to transitional aid for
certain charter schools

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

1 Section 1. Subdivision 41 of section 3602 of the education law, as
2 added by section 18 of part B of chapter 57 of the laws of 2007, the
3 subdivision heading and the opening paragraph as amended by section 20
4 of part B of chapter 57 of the laws of 2008, is amended to read as
5 follows:
6 41. Transitional aid for charter school payments. A. In addition to
7 any other apportionment under this section, for the two thousand seven-
8 -two thousand eight school year and thereafter, a school district other
9 than a city school district in a city having a population of one million
10 or more shall be eligible for an apportionment in an amount equal to THE
11 GREATER OF:
12 (1) the sum of:
13 (a) the product of (i) the product of eighty percent multiplied by the
14 charter school basic tuition computed for such school district for the
15 base year pursuant to section twenty-eight hundred fifty-six of this
16 chapter, multiplied by (ii) the positive difference, if any, of the
17 number of resident pupils enrolled in the charter school in the base
18 year less the number of resident pupils enrolled in a charter school in
19 the year prior to the base year, provided, however, that a school
20 district shall be eligible for an apportionment pursuant to this [para-
21 graph] CLAUSE only if the number of its resident pupils enrolled in
22 charter schools in the base year exceeds two percent of the total resi-
23 dent public school district enrollment of such school district in the
24 base year or the total general fund payments made by such district to
25 charter schools in the base year for resident pupils enrolled in charter

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

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1 schools exceeds two percent of total general fund expenditures of such
2 district in the base year, plus

3 (b) the product of (i) the product of sixty percent multiplied by the
4 charter school basic tuition computed for such school district for the
5 base year pursuant to section twenty-eight hundred fifty-six of this
6 chapter, multiplied by (ii) the positive difference, if any, of the
7 number of resident pupils enrolled in the charter school in the year
8 prior to the base year less the number of resident pupils enrolled in a
9 charter school in the year two years prior to the base year, provided,
10 however, that a school district shall be eligible for an apportionment
11 pursuant to this [paragraph] CLAUSE only if the number of its resident
12 pupils enrolled in charter schools in the year prior to the base year
13 exceeds two percent of the total resident public school district enroll-
14 ment of such school district in the year prior to the base year or the
15 total general fund payments made by such district to charter schools in
16 the year prior to the base year for resident pupils enrolled in charter
17 schools exceeds two percent of the total general fund expenditures of
18 such district in the year prior to the base year, plus

19 (c) the product of (i) the product of forty percent multiplied by the
20 charter school basic tuition computed for such school district for the
21 base year pursuant to section twenty-eight hundred fifty-six of this
22 chapter, multiplied by (ii) the positive difference, if any, of the
23 number of resident pupils enrolled in the charter school in the year two
24 years prior to the base year less the number of resident pupils enrolled
25 in a charter school in the year three years prior to the base year,
26 provided, however, that a school district shall be eligible for an
27 apportionment pursuant to this [paragraph] CLAUSE only if the number of
28 its resident pupils enrolled in charter schools in the year two years
29 prior to the base year exceeds two percent of the total resident public
30 school district enrollment of such school district in the year two years
31 prior to the base year or the total general fund payments made by such
32 district to charter schools in the year two years prior to the base year
33 for resident pupils enrolled in charter schools exceeds two percent of
34 the total general fund expenditures of such district in the year two
35 years prior to the base year; OR

36 (2) FOR A TIER 4 ELIGIBLE SCHOOL DISTRICT, THE PRODUCT OF THE NUMBER
37 OF RESIDENT PUPILS ENROLLED IN THE CHARTER SCHOOL FOR THE BASE YEAR
38 MULTIPLIED BY THE SATURATION CHARTER TUITION AMOUNT.

39 B. FOR THE PURPOSES OF THIS SUBDIVISION A "TIER 4 ELIGIBLE SCHOOL
40 DISTRICT" SHALL BE A SCHOOL DISTRICT WHERE THE QUOTIENT OF THE BASE YEAR
41 RESIDENT PUPILS ENROLLED IN CHARTER SCHOOLS DIVIDED BY THE TOTAL RESI-
42 DENT PUBLIC SCHOOL DISTRICT ENROLLMENT, IS TWENTY PERCENT OR MORE, BASED
43 ON DATA ON FILE WITH THE COMMISSIONER AND IN THE DATABASE USED BY THE
44 COMMISSIONER TO PRODUCE AN UPDATED ELECTRONIC DATA FILE ON FEBRUARY
45 FIFTEENTH OF THE BASE YEAR PURSUANT TO PARAGRAPH B OF SUBDIVISION TWEN-
46 TY-ONE OF SECTION THREE HUNDRED FIVE OF THIS CHAPTER.

47 C. FOR THE PURPOSES OF THIS SUBDIVISION THE "SATURATION CHARTER
48 TUITION AMOUNT" SHALL BE TWENTY PERCENT (.20) MULTIPLIED BY THE CHARTER
49 SCHOOL BASIC TUITION COMPUTED FOR SUCH SCHOOL DISTRICT FOR THE BASE
50 YEAR.

51 [(d)] D. For purposes of this subdivision the number of pupils
52 enrolled in a charter school shall not include pupils enrolled in a
53 charter school for which the charter was approved by a charter entity
54 contained in paragraph [a] (A) of subdivision three of section twenty-
55 eight hundred fifty-one of this chapter.

56 S 2. This act shall take effect immediately.