

8407

I N A S S E M B L Y

January 15, 2014

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

AN ACT to amend the education law, in relation to residency requirements
for charter schools

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

1 Section 1. Paragraph (b) of subdivision 2 of section 2854 of the
2 education law, as amended by chapter 101 of the laws of 2010, is amended
3 to read as follows:
4 (b) Any child who is qualified under the laws of this state for admis-
5 sion to a public school is qualified for admission to a charter school,
6 PROVIDED THAT SUCH CHILD LIVES IN THE LOCAL SCHOOL DISTRICT IN WHICH THE
7 CHARTER SCHOOL IS LOCATED. Applications for admission to a charter
8 school shall be submitted on a uniform application form created by the
9 department and shall be made available by a charter school in languages
10 predominately spoken in the community in which such charter school is
11 located. The school shall enroll each eligible student who submits a
12 timely application by the first day of April each year, unless the
13 number of applications exceeds the capacity of the grade level or build-
14 ing. In such cases, students shall be accepted from among applicants by
15 a random selection process, provided, however, that an enrollment pref-
16 erence shall be provided to pupils returning to the charter school in
17 the second or any subsequent year of operation [and pupils residing in
18 the school district in which the charter school is located], and
19 siblings of pupils already enrolled in the charter school. The commis-
20 sioner shall establish regulations to require that the random selection
21 process conducted pursuant to this paragraph be performed in a transpar-
22 ent and equitable manner and to require that the time and place of the
23 random selection process be publicized in a manner consistent with the
24 requirements of section one hundred four of the public officers law and
25 be open to the public. For the purposes of this paragraph and paragraph
26 (a) of this subdivision, the school district in which the charter school
27 is located shall mean, for the city school district of the city of New
28 York, the community district in which the charter school is located.
29 S 2. This act shall take effect on the first of July next succeeding
30 the date on which it shall have become a law.

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

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