

1160

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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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.