

5709

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 3, 2015

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Introduced by M. of A. HOOPER -- Multi-Sponsored by -- M. of A. ZEBROW-SKI -- read once and referred to the Committee on Education

AN ACT to amend the education law, the state finance law and the real property tax law, in relation to charter schools; and to repeal paragraph (b-1) of subdivision 3 of section 2854 of the education law, relating to collective bargaining

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

1     Section 1. Paragraphs (c) and (d) of subdivision 2 of section 2852 of  
2     the education law, paragraph (c) as amended and paragraph (d) as added  
3     by section 2 of part D-2 of chapter 57 of the laws of 2007, are amended  
4     and three new paragraphs (e), (f) and (g) are added to read as follows:  
5     (c) granting the application is likely to improve student learning and  
6     achievement and materially further the purposes set out in subdivision  
7     two of section twenty-eight hundred fifty of this article; [and]  
8     (d) in a school district where the total enrollment of resident  
9     students attending charter schools in the base year is greater than five  
10    percent of the total public school enrollment of the school district in  
11    the base year (i) granting the application would have a significant  
12    educational benefit to the students expected to attend the proposed  
13    charter school or (ii) the school district in which the charter school  
14    will be located consents to such application[.];  
15    (E) THE APPLICANT HAS PRESENTED AN ECONOMIC IMPACT STUDY FOR THE  
16    SCHOOL DISTRICT AFFECTED;  
17    (F) THE APPLICANT HAS PRESENTED A FINANCIAL IMPACT STATEMENT ON HOW  
18    THE LOCAL SCHOOL DISTRICT WILL BE IMPACTED; AND  
19    (G) THE APPLICANT HAS CONDUCTED NO LESS THAN THREE PUBLIC HEARINGS  
20    PRIOR TO APPROVAL.  
21    S 2. The education law is amended by adding a new section 2852-a to  
22    read as follows:

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

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1 S 2852-A. PROCEDURES FOR LOCAL APPROVAL OF CHARTER SCHOOLS IN CERTAIN  
2 SCHOOL DISTRICTS. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE TO  
3 THE CONTRARY, PRIOR TO THE ESTABLISHMENT OF A CHARTER SCHOOL PROPOSED IN  
4 A SCHOOL DISTRICT THAT IS SUBJECT TO SECTION NINETEEN HUNDRED SIX, TWO  
5 THOUSAND TWENTY-TWO OR TWENTY-SIX HUNDRED ONE-A OF THIS TITLE, A CHARTER  
6 ENTITY SHALL SUBMIT TO THE BOARD OF EDUCATION OF SUCH DISTRICT AN  
7 APPROVED CHARTER APPLICATION. SUCH CHARTER APPLICATION SHALL BE PLACED  
8 BEFORE THE VOTERS OF THE SCHOOL DISTRICT, FOR THEIR APPROVAL OR DISAP-  
9 PROVAL, PURSUANT TO THE PROVISIONS OF SECTION NINETEEN HUNDRED SIX, TWO  
10 THOUSAND TWENTY-TWO OR TWENTY-SIX HUNDRED ONE-A OF THIS TITLE. SUCH  
11 CHARTER APPLICATION, IF PROPOSED FOR THE FOLLOWING SCHOOL YEAR, SHALL  
12 INCLUDE A PROPOSED CHARTER SCHOOL BUDGET, AS DEFINED IN SECTION TWENTY-  
13 EIGHT HUNDRED FIFTY-TWO-B OF THIS ARTICLE. IF SUCH CHARTER SCHOOL APPLI-  
14 CATION IS NOT APPROVED BY A MAJORITY OF THE VOTERS IN A SCHOOL DISTRICT,  
15 THAT CHARTER APPLICATION SHALL BE DEEMED DISAPPROVED AND SHALL BE  
16 RETURNED TO THE CHARTER ENTITY THAT APPROVED SUCH APPLICATION; IF SUCH  
17 CHARTER ENTITY APPROVES THE APPLICATION FOR A SECOND TIME, SUCH APPLICA-  
18 TION SHALL NOT BE RESUBMITTED TO THE VOTERS UNTIL THE FOLLOWING SCHOOL  
19 YEAR. IF SUCH CHARTER APPLICATION IS APPROVED BY THE SCHOOL DISTRICT  
20 VOTERS AND IS ESTABLISHED BY THE APPLICANT, THE CHARTER SCHOOL SHALL BE  
21 SUBJECT TO ANNUAL SCHOOL BUDGET VOTES AS DEFINED IN SECTION TWENTY-EIGHT  
22 HUNDRED FIFTY-TWO-B OF THIS ARTICLE.

23 S 3. The education law is amended by adding a new section 2852-b to  
24 read as follows:

25 S 2852-B. PROCEDURES FOR ADOPTION OF CHARTER SCHOOL BUDGETS IN CERTAIN  
26 SCHOOL DISTRICTS. 1. A CHARTER SCHOOL THAT IS LOCATED IN A SCHOOL  
27 DISTRICT SUBJECT TO SECTION NINETEEN HUNDRED SIX, TWO THOUSAND  
28 TWENTY-TWO OR TWENTY-SIX HUNDRED ONE-A OF THIS TITLE, SHALL PROVIDE FOR  
29 THE SUBMISSION OF A BUDGET FOR APPROVAL OF THE VOTERS PURSUANT TO THE  
30 PROVISIONS OF THIS SECTION.

31 2. THE BOARD OF EDUCATION SHALL CONDUCT ALL ANNUAL AND SPECIAL SCHOOL  
32 DISTRICT MEETINGS FOR THE PURPOSE OF ADOPTING A CHARTER SCHOOL BUDGET IN  
33 THE SAME MANNER AS A UNION FREE SCHOOL DISTRICT IN ACCORDANCE WITH THE  
34 PROVISIONS OF ARTICLE FORTY-ONE OF THIS TITLE, EXCEPT AS OTHERWISE  
35 PROVIDED BY THIS SECTION. THE ANNUAL MEETING AND ELECTION OF EACH SUCH  
36 SCHOOL DISTRICT FOR THE PURPOSE OF ADOPTING A CHARTER SCHOOL BUDGET  
37 SHALL BE HELD ON THE THIRD TUESDAY OF MAY IN EACH YEAR, PROVIDED, HOWEV-  
38 ER, THAT SUCH ANNUAL MEETING AND ELECTION SHALL BE HELD ON THE SECOND  
39 TUESDAY IN MAY IF THE COMMISSIONER AT THE REQUEST OF A LOCAL SCHOOL  
40 BOARD CERTIFIES NO LATER THAN MARCH FIRST THAT SUCH ELECTION WOULD  
41 CONFLICT WITH RELIGIOUS OBSERVANCES. THE PROVISIONS OF THIS ARTICLE, AND  
42 WHERE APPLICABLE SUBDIVISIONS NINE AND NINE-A OF SECTION TWENTY-FIVE  
43 HUNDRED TWO OF THIS TITLE, GOVERNING THE QUALIFICATION AND REGISTRATION  
44 OF VOTERS, AND PROCEDURES FOR THE NOMINATION AND ELECTION OF MEMBERS OF  
45 THE BOARD OF EDUCATION SHALL CONTINUE TO APPLY, AND SHALL GOVERN THE  
46 QUALIFICATION AND REGISTRATION OF VOTERS AND VOTING PROCEDURES WITH  
47 RESPECT TO THE ADOPTION OF A CHARTER SCHOOL BUDGET.

48 3. THE CHARTER SCHOOL SHALL PREPARE A PROPOSED CHARTER SCHOOL BUDGET  
49 FOR THE ENSUING YEAR IN ACCORDANCE WITH THE PROVISIONS OF SECTION SEVEN-  
50 TEEN HUNDRED SIXTEEN OF THIS TITLE, INCLUDING ALL PROVISIONS RELATING TO  
51 REQUIRED NOTICES AND APPENDICES TO THE STATEMENT OF EXPENDITURES. NO  
52 CHARTER SCHOOL SHALL INCUR A LIABILITY EXCEPT AS AUTHORIZED BY THE  
53 PROVISIONS OF SECTION SEVENTEEN HUNDRED EIGHTEEN OF THIS TITLE. SUCH  
54 PROPOSED BUDGET SHALL BE PRESENTED IN THREE COMPONENTS: A PROGRAM COMPO-  
55 NENT, A CAPITAL COMPONENT AND AN ADMINISTRATIVE COMPONENT WHICH SHALL BE  
56 SEPARATELY DELINEATED IN ACCORDANCE WITH REGULATIONS OF THE COMMISSIONER

1 AFTER CONSULTATION WITH LOCAL SCHOOL DISTRICT OFFICIALS. THE ADMINIS-  
2 TRATIVE COMPONENT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, OFFICE AND  
3 ADMINISTRATIVE EXPENSES, TRAVELING EXPENSES AND SALARIES AND BENEFITS OF  
4 ALL CHARTER SCHOOL ADMINISTRATORS AND SUPERVISORS WHO SPEND A MAJORITY  
5 OF THEIR TIME PERFORMING ADMINISTRATIVE OR SUPERVISORY DUTIES, ANY AND  
6 ALL EXPENDITURES ASSOCIATED WITH THE OPERATION OF THE CHARTER SCHOOL  
7 INCLUDING THE COSTS RELATED TO GENERAL ADMINISTRATION, THE SCHOOL BUSI-  
8 NESS OFFICE, CONSULTING COSTS NOT DIRECTLY RELATED TO DIRECT STUDENT  
9 SERVICES AND PROGRAMS, PLANNING AND ALL OTHER ADMINISTRATIVE ACTIVITIES;  
10 AND SHALL INCLUDE AN ACCOUNTING OF THE NET REVENUES OR PROFITS THAT HAVE  
11 BEEN REALIZED BY THE CHARTER SCHOOL, OR ITS PARENT CORPORATION, DURING  
12 ITS OPERATION IN THE DISTRICT. THE PROGRAM COMPONENT SHALL INCLUDE, BUT  
13 NEED NOT BE LIMITED TO, ALL PROGRAM EXPENDITURES OF THE CHARTER SCHOOL,  
14 INCLUDING THE SALARIES AND BENEFITS OF TEACHERS AND ANY SCHOOL ADMINIS-  
15 TRATORS OR SUPERVISORS WHO SPEND A MAJORITY OF THEIR TIME PERFORMING  
16 TEACHING DUTIES, AND ALL TRANSPORTATION AND OPERATING EXPENSES. THE  
17 CAPITAL COMPONENT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, ALL TRANS-  
18 PORTATION CAPITAL, DEBT SERVICE, AND LEASE EXPENDITURES; COSTS RESULTING  
19 FROM JUDGMENTS IN TAX CERTIORARI PROCEEDINGS OR THE PAYMENT OF AWARDS  
20 FROM COURT JUDGMENTS, ADMINISTRATIVE ORDERS OR SETTLED OR COMPROMISED  
21 CLAIMS.

22 4. IN THE EVENT THE QUALIFIED VOTERS OF THE DISTRICT REJECT THE BUDGET  
23 PROPOSED PURSUANT TO SUBDIVISION THREE OF THIS SECTION, THE CHARTER  
24 SCHOOL MAY PROPOSE TO THE VOTERS A REVISED BUDGET OR MAY ADOPT A CONTIN-  
25 GENCY BUDGET PURSUANT TO SUBDIVISION FIVE OF THIS SECTION AND SUBDIVI-  
26 SION FIVE OF SECTION TWO THOUSAND TWENTY-TWO OF THIS TITLE. THE CHARTER  
27 SCHOOL BUDGET FOR ANY SCHOOL YEAR, OR ANY PART OF SUCH BUDGET OR ANY  
28 PROPOSITIONS INVOLVING THE EXPENDITURE OF MONEY FOR SUCH SCHOOL YEAR  
29 SHALL NOT BE SUBMITTED FOR A VOTE OF THE QUALIFIED VOTERS MORE THAN  
30 TWICE. IN THE EVENT THE QUALIFIED VOTERS REJECT THE RESUBMITTED BUDGET,  
31 THE BOARD SHALL ADOPT A CONTINGENCY BUDGET IN ACCORDANCE WITH SUBDIVI-  
32 SION FIVE OF THIS SECTION AND SUBDIVISION FIVE OF SECTION TWO THOUSAND  
33 TWENTY-TWO OF THIS TITLE.

34 5. IF THE QUALIFIED VOTERS FAIL OR REFUSE TO VOTE THE SUM ESTIMATED TO  
35 BE NECESSARY FOR TEACHERS' SALARIES AND OTHER ORDINARY CONTINGENT  
36 EXPENSES, THE CHARTER SCHOOL SHALL ADOPT A CONTINGENCY BUDGET IN ACCORD-  
37 ANCE WITH THIS SUBDIVISION. SUCH CONTINGENCY BUDGET SHALL INCLUDE THE  
38 SUM DETERMINED BY THE BOARD TO BE NECESSARY FOR:

39 (A) TEACHERS' SALARIES;

40 (B) ITEMS OF EXPENSE NECESSARY TO MAINTAIN THE CHARTER SCHOOL'S EDUCA-  
41 TIONAL PROGRAMS, PRESERVE THE PROPERTY OF THE DISTRICT OR PROTECT THE  
42 HEALTH AND SAFETY OF STUDENTS AND STAFF, INCLUDING, BUT NOT LIMITED TO,  
43 SUPPORT SERVICES, PUPIL PERSONNEL SERVICES, THE NECESSARY SALARIES FOR  
44 THE NECESSARY NUMBER OF NON-TEACHING EMPLOYEES, NECESSARY LEGAL  
45 EXPENSES, WATER AND UTILITY CHARGES, INSTRUCTIONAL SUPPLIES FOR TEACH-  
46 ERS' USE, EMERGENCY REPAIRS, TEMPORARY RENTAL OF ESSENTIAL CLASSROOM  
47 FACILITIES, AND EXPENDITURES NECESSARY TO ADVISE SCHOOL DISTRICT VOTERS  
48 CONCERNING SCHOOL MATTERS;

49 (C) EXPENSES INCURRED FOR INTERSCHOOL ATHLETICS, FIELD TRIPS AND OTHER  
50 EXTRACURRICULAR ACTIVITIES; AND

51 (D) ANY OTHER ITEM OF EXPENSE DETERMINED BY THE COMMISSIONER TO BE AN  
52 ORDINARY CONTINGENT EXPENSE IN ANY SCHOOL DISTRICT.

53 6. THE COMMISSIONER SHALL DETERMINE APPEALS RAISING QUESTIONS AS TO  
54 WHAT ITEMS OF EXPENDITURE OR ORDINARY CONTINGENT EXPENSES PURSUANT TO  
55 SUBDIVISION FIVE OF THIS SECTION IN ACCORDANCE WITH SECTIONS TWO THOU-  
56 SAND TWENTY-FOUR AND THREE HUNDRED TEN OF THIS CHAPTER.

1 S 4. Paragraph (a) of subdivision 2 and paragraph (b) of subdivision 3  
2 of section 2854 of the education law, paragraph (a) of subdivision 2 as  
3 amended by chapter 101 of the laws of 2010 and paragraph (b) of subdivi-  
4 sion 3 as added by chapter 4 of the laws of 1998, are amended to read as  
5 follows:

6 (a) A charter school shall be nonsectarian in its programs, admission  
7 policies, employment practices, and all other operations and shall not  
8 charge tuition or fees; provided that a charter school may require the  
9 payment of fees on the same basis and to the same extent as other public  
10 schools. A charter school shall not discriminate against any student,  
11 employee or any other person on the basis of ethnicity, national origin,  
12 gender, or disability or any other ground that would be unlawful if done  
13 by a school. Admission of students shall not be limited on the basis of  
14 intellectual ability, measures of achievement or aptitude, athletic  
15 ability, disability, race, creed, gender, national origin, religion, or  
16 ancestry; provided, however, that nothing in this article shall be  
17 construed to prevent the establishment of a single-sex charter school or  
18 a charter school designed to provide expanded learning opportunities for  
19 students at-risk of academic failure or students with disabilities and  
20 English language learners; and provided, further, that the charter  
21 school shall demonstrate good faith efforts to attract and retain a  
22 comparable or greater enrollment of students with disabilities, English  
23 language learners, and students who are eligible applicants for the free  
24 and reduced price lunch program when compared to the enrollment figures  
25 for such students in the school district in which the charter school is  
26 located. A charter shall not be issued to any school that would be whol-  
27 ly or in part under the control or direction of any religious denomi-  
28 nation, or in which any denominational tenet or doctrine would be  
29 taught; PROVIDED FURTHER, HOWEVER, THAT IN NO CASE SHALL THE ENROLLMENT  
30 IN CHARTER SCHOOLS EXCEED MORE THAN FIVE PERCENT OF THE TOTAL PUBLIC  
31 SCHOOL ENROLLMENT OF SUCH SCHOOL DISTRICT UNLESS THE CHARTERS FOR SUCH  
32 CHARTER SCHOOLS ARE APPROVED BY THE BOARD OF EDUCATION OF SUCH SCHOOL  
33 DISTRICT.

34 (b) The school employees of a charter school [that has been converted  
35 from an existing public school] who are eligible for representation  
36 under article fourteen of the civil service law shall be deemed to be  
37 included within the negotiating unit containing like titles or posi-  
38 tions, if any, for the school district in which such charter school is  
39 located and shall be subject to the collective bargaining agreement  
40 covering that school district negotiating unit; provided, however, that  
41 a majority of the members of a negotiating unit within a charter school  
42 may modify, in writing, a collective bargaining agreement for the  
43 purposes of employment in the charter school with the approval of the  
44 board of trustees of the charter school.

45 S 5. Paragraph (b-1) of subdivision 3 of section 2854 of the education  
46 law is REPEALED.

47 S 6. Section 2856 of the education law, as added by chapter 4 of the  
48 laws of 1998, subdivision 1 as amended by chapter 378 of the laws of  
49 2007 and paragraph (a) of subdivision 1 as amended and paragraph (d) as  
50 added by section 3 of part BB of chapter 56 of the laws of 2014, is  
51 amended to read as follows:

52 S 2856. Financing of charter schools. 1. (a) The enrollment of  
53 students attending charter schools shall NOT be included in the enroll-  
54 ment, attendance, membership and, if applicable, count of students with  
55 disabilities of the school district in which the pupil resides. The  
56 charter school shall report all such data to the [school districts of

1 residence] DEPARTMENT in a timely manner. [Each school district shall  
2 report such enrollment, attendance and count of students with disabili-  
3 ties to the department.] The [school district of residence] DEPARTMENT  
4 shall pay directly to the charter school for each student enrolled in  
5 the charter school [who resides in the school district the charter  
6 school basic tuition, which shall be:

7 (i) for school years prior to the two thousand nine--two thousand ten  
8 school year and for school years following the two thousand sixteen--two  
9 thousand seventeen school year, an amount equal to one hundred] FOR  
10 GRADES KINDERGARTEN THROUGH FOUR, AN AMOUNT EQUAL TO EIGHTY-FIVE  
11 PERCENT, FOR GRADES FIVE THROUGH EIGHT, AN AMOUNT EQUAL TO NINETY-FIVE  
12 PERCENT AND FOR GRADES NINE THROUGH TWELVE AN AMOUNT EQUAL TO ONE  
13 HUNDRED FIVE percent of the amount calculated pursuant to paragraph f of  
14 subdivision one of section thirty-six hundred two of this chapter for  
15 the STUDENT'S school district for the year prior to the base year  
16 increased by the percentage change in the state total approved operating  
17 expense calculated pursuant to paragraph t of subdivision one of section  
18 thirty-six hundred two of this chapter from two years prior to the base  
19 year to the base year; PROVIDED, HOWEVER, THAT

20 [(ii)] for the two thousand nine--two thousand ten school year, the  
21 charter school basic tuition shall be the amount payable by such  
22 district as charter school basic tuition for the two thousand eight--two  
23 thousand nine school year[;

24 (iii) for the two thousand ten--two thousand eleven through two thou-  
25 sand thirteen--two thousand fourteen school years, the charter school  
26 basic tuition shall be the basic tuition computed for the two thousand  
27 ten--two thousand eleven school year pursuant to the provisions of  
28 subparagraph (i) of this paragraph;

29 (iv) for the two thousand fourteen--two thousand fifteen, two thousand  
30 fifteen--two thousand sixteen and two thousand sixteen--two thousand  
31 seventeen school years, the charter school basic tuition shall be the  
32 sum of the lesser of the charter school basic tuition computed for the  
33 two thousand ten--two thousand eleven school year pursuant to the  
34 provisions of subparagraph (i) of this paragraph or the charter school  
35 basic tuition computed for the current year pursuant to the provisions  
36 of subparagraph (i) of this paragraph plus the supplemental basic  
37 tuition.

38 For the purposes of this subdivision, the "supplemental basic tuition"  
39 shall be (A) for a school district for which the charter school basic  
40 tuition computed for the current year is greater than or equal to the  
41 charter school basic tuition for the two thousand ten--two thousand  
42 eleven school year pursuant to the provisions of subparagraph (i) of  
43 this paragraph, (1) for the two thousand fourteen--two thousand fifteen  
44 school year two hundred and fifty dollars, and (2) for the two thousand  
45 fifteen--two thousand sixteen school year three hundred and fifty  
46 dollars, and (3) for the two thousand sixteen--two thousand seventeen  
47 school year five hundred dollars, and (B) for a school district for  
48 which the charter school basic tuition for the two thousand ten--two  
49 thousand eleven school year is greater than the charter school basic  
50 tuition for the current year pursuant to the provisions of subparagraph  
51 (i) of this paragraph, the positive difference of the charter school  
52 basic tuition for the two thousand ten--two thousand eleven school year  
53 minus the charter school basic tuition for the current year pursuant to  
54 the provisions of subparagraph (i) of this paragraph].

55 (B) PROVIDED, HOWEVER, THAT DURING THE FIRST THREE YEARS OF OPERATION  
56 OF A CHARTER SCHOOL, THE AMOUNT PAID BY THE SCHOOL DISTRICT OR RESIDENCE

1 DIRECTLY TO THE CHARTER SCHOOL FOR PUPILS WHO ATTENDED PUBLIC SCHOOL IN  
2 THE SCHOOL DISTRICT OF RESIDENCE IN THE YEAR PRIOR TO ENROLLING IN THE  
3 CHARTER SCHOOL SHALL BE REDUCED BY THE AMOUNT PROVIDED PURSUANT TO THE  
4 PROVISIONS OF SUBDIVISION ONE-A OF THIS SECTION.

5 [(b)] (C) The [school district] DEPARTMENT shall also pay directly to  
6 the charter school any federal or state aid attributable to a student  
7 with a disability attending THE charter school in proportion to the  
8 level of services for such student with a disability that the charter  
9 school provides directly or indirectly. Notwithstanding anything in this  
10 section to the contrary, amounts payable pursuant to this subdivision  
11 from state or local funds may be reduced pursuant to an agreement  
12 between the DEPARTMENT, THE CHARTER school and the charter entity set  
13 forth in the charter. Payments made pursuant to this subdivision shall  
14 be made by the [school district] DEPARTMENT in six substantially equal  
15 installments each year beginning on the first business day of July and  
16 every two months thereafter. Amounts payable under this subdivision  
17 shall be determined by the commissioner. Amounts payable to a charter  
18 school in its first year of operation shall be based on the projections  
19 of initial-year enrollment set forth in the charter until actual enroll-  
20 ment data is reported to the school district by the charter school. Such  
21 projections shall be reconciled with the actual enrollment as actual  
22 enrollment data is so reported and at the end of the school's first year  
23 of operation and each subsequent year based on a final report of actual  
24 enrollment by the charter school, and any necessary adjustments result-  
25 ing from such final report shall be made to payments during the school's  
26 following year of operation.

27 [(c)] (D) Notwithstanding any other provision of this subdivision to  
28 the contrary, payment of the federal aid attributable to a student with  
29 a disability attending a charter school shall be made in accordance with  
30 the requirements of section 8065-a of title twenty of the United States  
31 code and sections 76.785-76.799 and 300.209 of title thirty-four of the  
32 code of federal regulations.

33 [(d) School districts shall be eligible for an annual apportionment  
34 equal to the amount of the supplemental basic tuition paid to the char-  
35 ter school in the base year for the expenses incurred in the two thou-  
36 sand fourteen--two thousand fifteen, two thousand fifteen--two thousand  
37 sixteen, and two thousand sixteen--two thousand seventeen school years.]

38 1-A. (A) NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS  
39 SECTION, FOR THE FIRST THREE YEARS OF OPERATION OF A CHARTER SCHOOL,  
40 EACH PUPIL SO RECEIVED INTO ANY OF SUCH CHARTER SCHOOLS WHO ATTENDED  
41 PUBLIC SCHOOL IN THE SCHOOL DISTRICT OF RESIDENCE IN THE PRIOR SCHOOL  
42 YEAR SHALL BE PROVIDED WITH AN AMOUNT EQUAL TO THAT CALCULATED PURSUANT  
43 TO THE PROVISIONS OF PARAGRAPH (B) OF THIS SUBDIVISION; AND THE DIREC-  
44 TORS OF THE CHARTER SCHOOL SHALL RECEIVE AN ALLOCATION FOR EACH PUPIL SO  
45 PROVIDED FOR, TO BE PAID BY THE COMMISSIONER OF TAXATION AND FINANCE,  
46 OUT OF THE CHARTER SCHOOLS STIMULUS FUND, AS ESTABLISHED IN SECTION  
47 NINETY-SEVEN-SSS OF THE STATE FINANCE LAW, ON THE WARRANT OF THE COMP-  
48 TROLLER, TO THE TREASURER OF SUCH CHARTER SCHOOL; PROVIDED, HOWEVER,  
49 THAT ONE-SIXTH OF SUCH PAYMENT SHALL BE MADE BEGINNING ON THE FIRST  
50 BUSINESS DAY OF JULY AND EVERY TWO MONTHS THEREAFTER.

51 (B) (I) DURING THE FIRST YEAR OF OPERATION OF A CHARTER SCHOOL ESTAB-  
52 LISHED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, THE STATE SHALL PAY  
53 TO EACH CHARTER SCHOOL FROM THE CHARTER SCHOOLS STIMULUS FUND AN AMOUNT  
54 EQUAL TO FIFTY PERCENT OF THE AMOUNT CALCULATED PURSUANT TO THE  
55 PROVISIONS OF SUBDIVISION ONE OF THIS SECTION FOR EACH PUPIL ENROLLED

1 WHO ATTENDED PUBLIC SCHOOL IN THE SCHOOL DISTRICT OF RESIDENCE IN THE  
2 PRIOR SCHOOL YEAR;

3 (II) DURING THE SECOND YEAR OF OPERATION OF A CHARTER SCHOOL ESTAB-  
4 LISHED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, THE STATE SHALL PAY  
5 TO EACH CHARTER SCHOOL FROM THE CHARTER SCHOOLS STIMULUS FUND AN AMOUNT  
6 EQUAL TO THIRTY PERCENT OF THE AMOUNT CALCULATED PURSUANT TO THE  
7 PROVISIONS OF SUBDIVISION ONE OF THIS SECTION FOR EACH PUPIL ENROLLED  
8 WHO ATTENDED PUBLIC SCHOOL IN THE SCHOOL DISTRICT OF RESIDENCE IN THE  
9 PRIOR SCHOOL YEAR;

10 (III) DURING THE THIRD YEAR OF OPERATION OF A CHARTER SCHOOL ESTAB-  
11 LISHED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, THE STATE SHALL PAY  
12 TO EACH CHARTER SCHOOL FROM THE CHARTER SCHOOLS STIMULUS FUND AN AMOUNT  
13 EQUAL TO TEN PERCENT OF THE AMOUNT CALCULATED PURSUANT TO THE PROVISIONS  
14 OF SUBDIVISION ONE OF THIS SECTION FOR EACH PUPIL ENROLLED WHO ATTENDED  
15 PUBLIC SCHOOL IN THE SCHOOL DISTRICT OF RESIDENCE IN THE PRIOR SCHOOL  
16 YEAR.

17 1-B. (A) PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, THE SCHOOL  
18 DISTRICT SHALL RECEIVE AN ALLOCATION FOR EACH RESIDENT PUPIL ATTENDING A  
19 CHARTER SCHOOL TO BE PAID BY THE COMMISSIONER OF TAXATION AND FINANCE,  
20 OUT OF THE CHARTER SCHOOLS TRANSITION FUND, AS ESTABLISHED IN SECTION  
21 NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW, ON THE AUDIT AND WARRANT OF  
22 THE COMPTROLLER; PROVIDED, HOWEVER, THAT ONE-SIXTH OF SUCH ALLOCATION  
23 SHALL BE MADE BEGINNING ON THE FIRST BUSINESS DAY OF JULY AND EVERY TWO  
24 MONTHS THEREAFTER.

25 (B) (I) DURING THE FIRST YEAR OF OPERATION OF A CHARTER SCHOOL ESTAB-  
26 LISHED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, THE STATE SHALL PAY  
27 TO THE SCHOOL DISTRICT OF RESIDENCE FROM THE CHARTER SCHOOLS TRANSITION  
28 FUND, PURSUANT TO SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW, AN  
29 AMOUNT EQUAL TO FIFTY PERCENT OF THE AMOUNT CALCULATED PURSUANT TO THE  
30 PROVISIONS OF SUBDIVISION ONE OF THIS SECTION FOR EACH RESIDENT PUPIL  
31 ENROLLED IN A CHARTER SCHOOL WHO WAS ENROLLED IN THE PUBLIC SCHOOL  
32 DISTRICT OF RESIDENCE IN THE YEAR PRIOR TO ENROLLING IN A CHARTER  
33 SCHOOL;

34 (II) DURING THE SECOND YEAR OF OPERATION OF A CHARTER SCHOOL ESTAB-  
35 LISHED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, THE STATE SHALL PAY  
36 TO THE SCHOOL DISTRICT OF RESIDENCE FROM THE CHARTER SCHOOLS TRANSITION  
37 FUND, PURSUANT TO SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW, AN  
38 AMOUNT EQUAL TO THIRTY PERCENT OF THE AMOUNT CALCULATED PURSUANT TO THE  
39 PROVISIONS OF SUBDIVISION ONE OF THIS SECTION FOR EACH RESIDENT PUPIL  
40 ENROLLED IN A CHARTER SCHOOL WHO WAS ENROLLED IN THE PUBLIC SCHOOL  
41 DISTRICT OF RESIDENCE IN THE YEAR PRIOR TO ENROLLING IN A CHARTER  
42 SCHOOL;

43 (III) DURING THE THIRD YEAR OF OPERATION OF A CHARTER SCHOOL ESTAB-  
44 LISHED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, THE STATE SHALL PAY  
45 TO THE SCHOOL DISTRICT OF RESIDENCE FROM THE CHARTER SCHOOLS TRANSITION  
46 FUND, PURSUANT TO SECTION NINETY-SEVEN-LLLL OF THE STATE FINANCE LAW, AN  
47 AMOUNT EQUAL TO TEN PERCENT OF THE AMOUNT CALCULATED PURSUANT TO THE  
48 PROVISIONS OF SUBDIVISION ONE OF THIS SECTION FOR EACH RESIDENT PUPIL  
49 ENROLLED IN A CHARTER SCHOOL WHO WAS ENROLLED IN THE PUBLIC SCHOOL  
50 DISTRICT OF RESIDENCE IN THE YEAR PRIOR TO ENROLLING IN A CHARTER  
51 SCHOOL;

52 (IV) THE COMMISSIONER OF TAXATION AND FINANCE SHALL ALSO APPORTION  
53 FUNDS FROM THE CHARTER SCHOOLS TRANSITION FUND TO THE SCHOOL DISTRICT OF  
54 RESIDENCE IN AN AMOUNT EQUAL TO ONE HUNDRED PERCENT OF THE AMOUNT CALCU-  
55 LATED PURSUANT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION FOR  
56 EACH RESIDENT PUPIL ENROLLED IN A CHARTER SCHOOL WHO WAS ENROLLED IN A

1 NONPUBLIC SCHOOL IN THE YEAR PRIOR TO ENROLLING IN A CHARTER SCHOOL, FOR  
2 THE FIRST THREE YEARS OF SUCH PUPIL'S ENROLLMENT IN A CHARTER SCHOOL.

3 (C) FOR THE PURPOSE OF PROVIDING PAYMENTS OF AMOUNTS CALCULATED PURSU-  
4 ANT TO THIS SUBDIVISION TO A CHARTER SCHOOL IN EXISTENCE PRIOR TO THE  
5 EFFECTIVE DATE OF THIS SUBDIVISION, THE FIRST YEAR OF OPERATION FOR SUCH  
6 CHARTER SCHOOL SHALL BE DEEMED TO BE THE SCHOOL YEAR COMMENCING ON OR  
7 AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION.

8 2. [In the event of the failure of the school district to make  
9 payments required by this section, the state comptroller shall deduct  
10 from any state funds which become due to such school district an amount  
11 equal to the unpaid obligation. The comptroller shall pay over such sum  
12 to the charter school upon certification of the commissioner. The  
13 commissioner shall promulgate regulations to implement the provisions of  
14 this subdivision.

15 3.] Nothing in this article shall be construed to prohibit any person  
16 or organization from providing funding or other assistance to the estab-  
17 lishment or operation of a charter school. The board of trustees of a  
18 charter school is authorized to accept gifts, donations or grants of any  
19 kind made to the charter school and to expend or use such gifts,  
20 donations or grants in accordance with the conditions prescribed by the  
21 donor; provided, however, that no gift, donation or grant may be  
22 accepted if subject to a condition that is contrary to any provision of  
23 law or term of the charter.

24 3. A SCHOOL DISTRICT SHALL NOT BE REQUIRED TO MAKE ANY PAYMENTS PURSU-  
25 ANT TO THIS SECTION UNLESS THE CHARTER SCHOOL HAS RECEIVED A CERTIFICATE  
26 OF OCCUPANCY FOR THE FACILITIES WHICH ARE TO BE USED BY THE CHARTER  
27 SCHOOL AND THE FACILITIES MEET ALL LOCAL ZONING, LAND USE REGULATIONS,  
28 AND BUILDING CODES WHICH APPLY TO NONPUBLIC SCHOOLS. ALL PAYMENTS SCHED-  
29 ULED TO BE MADE BY A SCHOOL DISTRICT PURSUANT TO THIS SECTION WHICH ARE  
30 WITHHELD AS A RESULT OF A FAILURE OF THE CHARTER SCHOOL TO COMPLY WITH  
31 THE PROVISIONS OF THIS SUBDIVISION SHALL BE DUE AND PAYABLE FIFTEEN DAYS  
32 AFTER THE CHARTER SCHOOL MEETS THE REQUIREMENTS OF THIS SUBDIVISION.

33 4. WHEN A CHARTER SCHOOL IS ESTABLISHED PURSUANT TO SECTION  
34 TWENTY-EIGHT HUNDRED FIFTY-TWO OF THIS ARTICLE, THE STATE SHALL NOT  
35 REFUSE AID TO ANY SCHOOL DISTRICT LOCATED IN AN OFFICIALLY DESIGNATED  
36 POVERTY AREA.

37 S 7. Subdivisions 1-a and 2 of section 2857 of the education law,  
38 subdivision 1-a as added by section 7 of part D-2 of chapter 57 of the  
39 laws of 2007 and subdivision 2 as amended by chapter 101 of the laws of  
40 2010, are amended to read as follows:

41 1-a. In the event the school district fails to conduct a public hear-  
42 ing, the board of regents OR THE CHARTER ENTITY shall conduct a public  
43 hearing to solicit comments from the community in connection with the  
44 issuance, revision, or renewal of a charter.

45 2. Each charter school shall submit to the charter entity, THE LOCAL  
46 BOARD OF EDUCATION and to the board of regents an annual report. Such  
47 report shall be issued no later than the first day of August of each  
48 year for the preceding school year and shall be made publicly available  
49 by such date and shall be posted on the charter school's website. The  
50 annual report shall be in such form as shall be prescribed by the  
51 commissioner and shall include at least the following components:

52 (a) a charter school report card, which shall include measures of the  
53 comparative academic and fiscal performance of the school, as prescribed  
54 by the commissioner in regulations adopted for such purpose. Such meas-  
55 ures shall include, but not be limited to, graduation rates, dropout  
56 rates, performance of students on standardized tests, college entry



1 rates, total spending per pupil and administrative spending per pupil.  
2 Such measures shall be presented in a format that is easily comparable  
3 to similar public schools. In addition, the charter school shall ensure  
4 that such information is easily accessible to the community including  
5 making it publicly available by transmitting it to local newspapers of  
6 general circulation and making it available for distribution at board of  
7 trustee meetings. THE CHARTER SCHOOL SHALL MAKE THE CHARTER SCHOOL  
8 REPORT CARD PUBLICLY AVAILABLE BY APPENDING IT TO COPIES OF THE PROPOSED  
9 BUDGET, WHERE APPLICABLE, MADE PUBLICLY AVAILABLE AS REQUIRED BY LAW,  
10 AND OTHERWISE DISSEMINATING IT AS REQUIRED BY THE COMMISSIONER. SUCH  
11 REPORT CARD SHALL INCLUDE MEASURES OF THE ACADEMIC AND FISCAL PERFORM-  
12 ANCE OF THE CHARTER SCHOOL, AS PRESCRIBED BY THE COMMISSIONER. PURSUANT  
13 TO REGULATIONS OF THE COMMISSIONER, THE REPORT CARD SHALL ALSO COMPARE  
14 THESE MEASURES TO STATEWIDE AVERAGES FOR ALL PUBLIC AND CHARTER SCHOOLS,  
15 AND STATEWIDE AVERAGES FOR PUBLIC SCHOOLS AND CHARTER SCHOOLS OF COMPA-  
16 RABLE WEALTH AND NEED, DEVELOPED BY THE COMMISSIONER. SUCH REPORT CARD  
17 SHALL INCLUDE, AT A MINIMUM, ANY INFORMATION ON THE CHARTER SCHOOL  
18 DISTRICT REGARDING PUPIL PERFORMANCE AND EXPENDITURE PER PUPIL REQUIRED  
19 TO BE INCLUDED IN THE ANNUAL REPORT BY THE REGENTS TO THE GOVERNOR AND  
20 THE LEGISLATURE PURSUANT TO SECTION TWO HUNDRED FIFTEEN-A OF THIS CHAP-  
21 TER; AND ANY OTHER INFORMATION REQUIRED BY THE COMMISSIONER.

22 (b) discussion of the progress made towards achievement of the goals  
23 set forth in the charter.

24 (c) a certified financial statement setting forth, by appropriate  
25 categories, the revenues, INCLUDING ANY PROFITS REALIZED BY THE CHARTER  
26 SCHOOL OR ITS PARENT CORPORATION and expenditures for the preceding  
27 school year, including a copy of the most recent independent fiscal  
28 audit of the school and any audit conducted by the comptroller of the  
29 state of New York.

30 (d) efforts taken by the charter school in the existing school year,  
31 and a plan for efforts to be taken in the succeeding school year, to  
32 meet or exceed enrollment and retention targets set by the board of  
33 regents or the board of trustees of the state university of New York, as  
34 applicable, of students with disabilities, English language learners,  
35 and students who are eligible applicants for the free and reduced price  
36 lunch program established pursuant to paragraph (e) of subdivision four  
37 of section twenty-eight hundred fifty-one of this article.

38 S 8. Section 97-sss of the state finance law, as added by chapter 4 of  
39 the laws of 1998, is amended to read as follows:

40 S 97-sss. Charter schools stimulus fund. 1. There is hereby estab-  
41 lished in the joint custody of the comptroller and the commissioner of  
42 taxation and finance a fund to be known as the charter schools stimulus  
43 fund. Such fund shall consist of all monies made available pursuant to  
44 appropriation for this purpose, all monies transferred to such fund  
45 pursuant to law, and grants, gifts and devises and donations from any  
46 public or private source. The purpose of such fund is to provide discre-  
47 tionary financial support, including grants and loans to charter school  
48 applicants and to charter schools for start-up costs and for costs asso-  
49 ciated with the acquisition, renovation, or construction of school  
50 facilities OR GENERAL OPERATING EXPENSES.

51 2. (A) IN ADDITION TO THE APPORTIONMENTS AUTHORIZED IN SUBDIVISION ONE  
52 OF THIS SECTION, WHEN THE COMMISSIONER OF EDUCATION, UPON APPLICATION OF  
53 AN AFFECTED DISTRICT, CERTIFIES THAT SUCH SCHOOL DISTRICT'S FINANCIAL  
54 SITUATION HAS BECOME DISTRESSED AS A RESULT OF THE OPERATION OF A CHAR-  
55 TER SCHOOL LOCATED WITHIN SUCH DISTRICT, THE COMPTROLLER SHALL AWARD  
56 GRANTS FROM THE CHARTER SCHOOLS STIMULUS FUND TO A CHARTER SCHOOL OR A

1 DISTRESSED DISTRICT IN AN AMOUNT TO MITIGATE SUCH FINANCIAL DISTRESS OF  
2 THE AFFECTED SCHOOL DISTRICT.

3 (B) EACH SCHOOL DISTRICT WHICH SEEKS A DISTRESSED SCHOOL DISTRICT  
4 GRANT SHALL SUBMIT A GRANT APPLICATION TO THE COMMISSIONER OF EDUCATION,  
5 PURSUANT TO GUIDELINES TO BE ESTABLISHED BY THE COMMISSIONER OF EDUCA-  
6 TION.

7 (C) THE COMMISSIONER OF EDUCATION SHALL EVALUATE EACH GRANT APPLICA-  
8 TION ON THE BASIS OF CRITERIA, INCLUDING, BUT NOT LIMITED TO: THE  
9 PERCENTAGE OF A SCHOOL DISTRICT'S PUPILS ENROLLED IN A CHARTER SCHOOL;  
10 THE IMPACT OF CHARTER SCHOOL FUNDING ON DISTRICT GENERAL FUND EXPENSE;  
11 AND THE RESULTANT LOCAL TAX IMPACT.

12 3. THE COMMISSIONER OF TAXATION AND FINANCE SHALL APPORTION FUNDS  
13 FROM THE CHARTER SCHOOLS STIMULUS FUND TO A CHARTER SCHOOL IN AN AMOUNT  
14 PER PUPIL EQUAL TO THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH (A) OF  
15 SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED FIFTY-SIX OF THE EDUCA-  
16 TION LAW FOR EACH RESIDENT PUPIL ENROLLED IN A CHARTER SCHOOL WHO WAS  
17 ENROLLED IN A NON-PUBLIC SCHOOL IN THE YEAR PRIOR TO ENROLLING IN THE  
18 CHARTER SCHOOL FOR THE FIRST THREE YEARS OF SUCH PUPIL'S ENROLLMENT IN  
19 SUCH CHARTER SCHOOL.

20 S 9. The state finance law is amended by adding two new sections  
21 97-llll and 97-qqqq to read as follows:

22 S 97-LLLL. CHARTER SCHOOLS TRANSITION FUND. 1. THERE IS HEREBY ESTAB-  
23 LISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE  
24 AND THE COMPTROLLER, A FUND TO BE KNOWN AS THE "CHARTER SCHOOLS TRANSI-  
25 TION FUND".

26 2. SUCH FUND SHALL CONSIST OF ALL MONIES MADE AVAILABLE PURSUANT TO  
27 APPROPRIATION FOR THIS PURPOSE, ALL MONEYS TRANSFERRED TO SUCH FUND  
28 PURSUANT TO LAW, AND GRANTS, GIFTS AND DEVISES AND DONATIONS FROM ANY  
29 PUBLIC OR PRIVATE SOURCE. THE PURPOSE OF THE FUND IS TO PROVIDE TRANSI-  
30 TION AID OVER A THREE-YEAR PERIOD, AS CALCULATED PURSUANT TO THE  
31 PROVISIONS OF PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION TWENTY-EIGHT  
32 HUNDRED FIFTY-SIX OF THE EDUCATION LAW, TO LOCAL SCHOOL DISTRICTS WHICH  
33 HAVE RESIDENT PUPILS ATTENDING CHARTER SCHOOLS TO LESSEN THE FINANCIAL  
34 IMPACT ON THE LOCAL SCHOOL DISTRICT.

35 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR SUCH TRANSITION AID  
36 TO LOCAL SCHOOL DISTRICTS WHICH HAVE RESIDENT PUPILS ENROLLED IN A CHAR-  
37 TER SCHOOL.

38 4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF  
39 THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER  
40 OF TAXATION AND FINANCE.

41 S 97-QQQQ. DISTRESSED SCHOOL DISTRICT GRANT FUND. 1. THERE IS HEREBY  
42 ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND  
43 FINANCE AND THE COMPTROLLER, A FUND TO BE KNOWN AS THE "DISTRESSED  
44 SCHOOL DISTRICT GRANT FUND".

45 2. SUCH FUND SHALL CONSIST OF ALL MONIES MADE AVAILABLE PURSUANT TO  
46 APPROPRIATION FOR THIS PURPOSE, ALL MONEYS TRANSFERRED TO SUCH FUND  
47 PURSUANT TO LAW, AND GRANTS, GIFTS AND DEVISES AND DONATIONS FROM ANY  
48 PUBLIC OR PRIVATE SOURCE. THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS  
49 TO LOCAL SCHOOL DISTRICTS WHICH HAVE RESIDENT PUPILS ENROLLED IN CHARTER  
50 SCHOOLS TO LESSEN THE FINANCIAL IMPACT ON THE LOCAL SCHOOL DISTRICT.

51 3. EACH SCHOOL DISTRICT WHICH SEEKS A DISTRESSED SCHOOL DISTRICT GRANT  
52 MAY SUBMIT AN APPLICATION FOR FUNDS PURSUANT TO GUIDELINES TO BE ESTAB-  
53 LISHED BY THE COMMISSIONER OF EDUCATION.

54 4. THE COMMISSIONER OF EDUCATION SHALL EVALUATE EACH GRANT APPLICATION  
55 ON THE BASIS OF CRITERIA, INCLUDING, BUT NOT LIMITED TO: THE PERCENTAGE  
56 OF A SCHOOL DISTRICT'S PUPILS ENROLLED IN A CHARTER SCHOOL; THE IMPACT

1 OF THE CHARTER SCHOOL FUNDING ON DISTRICT GENERAL FUND EXPENSE; AND THE  
2 RESULTANT LOCAL TAX IMPACT.

3 5. THE COMMISSIONER OF EDUCATION, PURSUANT TO THE CRITERIA ESTABLISHED  
4 IN SUBDIVISION FOUR OF THIS SECTION, MAY CERTIFY THAT SUCH SCHOOL  
5 DISTRICT'S FINANCIAL SITUATION HAS BECOME DISTRESSED AS THE RESULT OF  
6 THE OPERATION OF A CHARTER SCHOOL. UPON CERTIFICATION, THE COMPTROLLER  
7 SHALL AWARD GRANTS TO THE DISTRESSED DISTRICT IN AN AMOUNT TO MITIGATE  
8 SUCH FINANCIAL DISTRESS OF THE AFFECTED SCHOOL DISTRICT ON VOUCHERS  
9 APPROVED AND CERTIFIED BY THE COMMISSIONER OF TAXATION AND FINANCE.

10 S 10. Subparagraphs (xiii) and (xiv) of paragraph (a) of subdivision 1  
11 of section 922 of the real property tax law, as amended by section 5 of  
12 part B of chapter 389 of the laws of 1997 and subparagraph (xiv) as  
13 further amended by section 1 of part W of chapter 56 of the laws of  
14 2010, are amended and a new subparagraph (xv) is added to read as  
15 follows:

16 (xiii) such other information as may be prescribed by law; [and]

17 (xiv) if, not later than ten days after the filing of the preceding  
18 tentative assessment roll, the assessing unit mailed to each owner of  
19 taxable real property a notice in a form prescribed by the commissioner  
20 containing the information described by subparagraphs (iii) and (xii) of  
21 this paragraph (excluding the taxes due on the parcel and the tax rate  
22 for each taxing purpose), the statement of taxes need not include the  
23 information prescribed by subparagraph (xii) of this paragraph[.]; AND

24 (XV) A STATEMENT SETTING FORTH THE AMOUNT OF TAXES LEVIED THAT SHALL  
25 BE APPLIED OR THAT ARE PROJECTED TO BE APPLIED TO THE PAYMENT OF CHARTER  
26 SCHOOLS.

27 S 11. Subdivision 1 of section 1338 of the real property tax law, as  
28 added by chapter 953 of the laws of 1962, is amended to read as follows:

29 1. Upon receipt of the tax roll and warrant, the collecting officer  
30 shall mail to each owner of property listed thereon, a statement of  
31 taxes as provided by law. SUCH STATEMENT SHALL INCLUDE, BUT SHALL NOT  
32 BE LIMITED TO, INFORMATION REQUIRED PURSUANT TO SUBPARAGRAPH (XV) OF  
33 PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION NINE HUNDRED TWENTY-TWO OF  
34 THIS CHAPTER.

35 S 12. This act shall take effect on the first of July next succeeding  
36 the date on which it shall have become a law, provided that the amend-  
37 ments to subdivision 1 of section 2856 of the education law made by  
38 section six of this act shall not affect the expiration of such subdivi-  
39 sion and shall expire therewith.