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I N   S E N A T E

March 22, 2016

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Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to full day kindergarten

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

1     Section 1. Subdivision 9 of section 3602 of the education law, as  
2 amended by section 9 of part A of chapter 57 of the laws of 2013, is  
3 amended to read as follows:

4     9. Aid for conversion to full day kindergarten. School districts may  
5 make available full day kindergarten programs for all children wishing  
6 to attend such programs.

7     a. For aid payable in the [two thousand seven--two thousand eight] TWO  
8 THOUSAND SIXTEEN--TWO THOUSAND SEVENTEEN school year and thereafter,  
9 school districts which provided any half-day kindergarten programs or  
10 had no kindergarten programs in the [nineteen hundred ninety-six--nine-  
11 ty-seven] TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN school year [and in  
12 the base year], and which have not received an apportionment pursuant to  
13 this paragraph in any prior school year, shall be eligible for FIVE YEAR  
14 TRANSITION aid. A DISTRICT SHALL BE ELIGIBLE TO RECEIVE AID BY PROVID-  
15 ING FULL DAY KINDERGARTEN PROGRAMS FOR ALL CHILDREN WHO WISH TO ATTEND  
16 SUCH PROGRAMS. THE AID IN THE FIRST YEAR OF FULL DAY KINDERGARTEN TRAN-  
17 SITION IS equal to the product of the district's selected foundation aid  
18 calculated pursuant to subdivision four of this section multiplied by  
19 the positive difference resulting when the full day kindergarten enroll-  
20 ment of children attending programs in the district in the base year is  
21 subtracted from such enrollment in the current year. THE REMAINING TRAN-  
22 SITION AID SHALL BE APPORTIONED AS FOLLOWS:

23     I. AID IN YEAR TWO SHALL EQUAL EIGHTY PERCENT OF THE AID RECEIVED BY  
24 THE DISTRICT IN YEAR ONE.

25     II. AID IN YEAR THREE SHALL EQUAL SIXTY PERCENT OF THE AID RECEIVED  
26 BY THE DISTRICT IN YEAR ONE.

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

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1     III. AID IN YEAR FOUR SHALL EQUAL FORTY PERCENT OF THE AID RECEIVED BY  
2     THE DISTRICT IN YEAR ONE.

3     IV. AID IN YEAR FIVE SHALL EQUAL TWENTY PERCENT OF THE AID RECEIVED BY  
4     THE DISTRICT IN YEAR ONE.

5     b. Notwithstanding the provisions of paragraph a of this subdivision,  
6     school districts that have received an apportionment pursuant to this  
7     subdivision in a prior school year shall be eligible for an apportion-  
8     ment where the department grants a waiver upon cause satisfactory to the  
9     department, including but not limited to, satisfactory demonstration of  
10    significant economic hardship that would impact the school district's  
11    ability to provide full day kindergarten for all children wishing to  
12    attend such programs. No school district may be granted such a waiver  
13    more than once.

14    S 2. Subdivision 2 of section 3205 of the education law is amended by  
15    adding a new paragraph d to read as follows:

16    D. SCHOOL DISTRICTS THAT OFFER FULL DAY KINDERGARTEN PROGRAMS TO ALL  
17    CHILDREN IN THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR  
18    AND ANY YEAR THEREAFTER SHALL BE REQUIRED TO OFFER FULL DAY KINDERGARTEN  
19    TO ALL CHILDREN FIVE YEARS OF AGE ON OR BEFORE DECEMBER FIRST. SUCH  
20    SCHOOL DISTRICTS CANNOT REDUCE KINDERGARTEN PROGRAMS TO LESS THAN FULL  
21    DAY.

22    S 3. This act shall take effect immediately.