STATE OF NEW YORK

5869

2017-2018 Regular Sessions

IN ASSEMBLY

February 16, 2017

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

AN ACT to amend the education law, in relation to requiring certain procedures for charter school students facing suspension

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (d) of subdivision 2 of section 2854 of the education law, as added by chapter 4 of the laws of 1998, is amended to read as follows:

(d) A student may withdraw from a charter school at any time and enroll in a public school. A charter school may refuse admission to any student who has been expelled or suspended from a public school until the period of suspension or expulsion from the public school has expired, consistent with the requirements of due process. **A student may only be suspended from a charter school in accordance with the provisions of subdivision three of section thirty-two hundred fourteen of this chapter.**

(i) The terms "superintendent", "superintendent of schools", "district superintendent of schools" or "community superintendent", as used in subdivision three of section thirty-two hundred fourteen of this chapter, as they relate to charter schools shall mean the chairperson of the board of trustees of the charter school.

(ii) The terms "board of education" or "board" as used in subdivision three of section thirty-two hundred fourteen of this chapter, as they relate to charter schools, shall mean the board of trustees of the charter school.

§ 2. This act shall take effect immediately.

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

LBD09804-01-7