

# STATE OF NEW YORK

3517

2019-2020 Regular Sessions

## IN SENATE

February 8, 2019

Introduced by Sen. CARLUCCI -- 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 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 and  
3 paragraph c as added by section 12 of part CCC of chapter 59 of the laws  
4 of 2018, is amended to read as follows:

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

8 a. For aid payable in the [~~two thousand seven--two thousand eight~~] two  
9 thousand nineteen--two thousand twenty school year and thereafter,  
10 school districts which provided any half-day kindergarten programs or  
11 had no kindergarten programs in the [~~nineteen hundred ninety-six--nine-~~  
12 ~~ty-seven~~] two thousand eighteen--two thousand nineteen school year [~~and~~  
13 ~~in the base year~~], and which have not received an apportionment pursuant  
14 to this paragraph in any prior school year, shall be eligible for five  
15 year transition aid. The aid in the first year of full day kindergarten  
16 transition is equal to the product of the district's selected foundation  
17 aid calculated pursuant to subdivision four of this section multiplied  
18 by the positive difference resulting when the full day kindergarten  
19 enrollment of children attending programs in the district in the base  
20 year is subtracted from such enrollment in the current year. The remain-  
21 ing transition aid shall be apportioned as follows:

22 i. Aid in year two shall equal eighty percent of the aid received by  
23 the district in year one.

24 ii. Aid in year three shall equal sixty percent of the aid received  
25 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 c. Notwithstanding the provisions of paragraph a of this subdivision,  
15 school districts receiving an apportionment pursuant to paragraph a of  
16 this subdivision in the two thousand eighteen--two thousand nineteen or  
17 two thousand nineteen--two thousand twenty school year shall be eligible  
18 for (A) an apportionment in the following school year equal to the prod-  
19 uct of sixty-five percent multiplied by the aid received by the district  
20 pursuant to paragraph a of this subdivision in the prior school year,  
21 and (B) an apportionment in the school year after the following year  
22 equal to the product of thirty-five percent multiplied by the aid  
23 received by the district pursuant to paragraph a of this subdivision in  
24 the year preceding the prior year.

25 § 2. This act shall take effect immediately.