STATE OF NEW YORK

7344

2021-2022 Regular Sessions

IN SENATE

August 25, 2021

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to disallowing an application for a charter school to be approved if a school district is under the supervision of a state monitor or fiscal monitor

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

Section 1. Paragraphs (c) and (d) of subdivision 2 of section 2852 of the education law, as amended by section 2 of part D2 of chapter 57 of the laws of 2007, are amended and a new paragraph (e) is added to read as follows:

(c) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; [~~and~~]

(d) in a school district where the total enrollment of resident students attending charter schools in the base year is greater than five percent of the total public school enrollment of the school district in the base year (i) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school or (ii) the school district in which the charter school will be located consents to such application**; and**

(e) a state monitor or fiscal monitor is not operating in such school district or has operated in such school district in the past five years.

§ 2. This act shall take effect immediately.

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

LBD13072-01-1