

# STATE OF NEW YORK

8801

## IN ASSEMBLY

January 12, 2022

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 providing the Board of  
Regents with final approval authority over all proposed and renewed  
charter schools

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

1 Section 1. Subdivision 5-b of section 2852 of the education law, as  
2 added by chapter 4 of the laws of 1998, is amended to read as follows:

3 5-b. If the board of regents returns a proposed charter to the charter  
4 entity pursuant to the provisions of subdivision five-a of this section,  
5 such charter entity shall reconsider the proposed charter, taking into  
6 consideration the comments and recommendation of the board of regents.  
7 Thereafter, the charter entity shall resubmit the proposed charter to  
8 the board of regents with modifications, provided that the applicant  
9 consents in writing to such modifications, [~~resubmit the proposed char-~~  
10 ~~ter to the board of regents without modifications,~~] or abandon the  
11 proposed charter. The board of regents shall review each such resubmit-  
12 ted proposed charter in accordance with the provisions of subdivision  
13 five-a of this section[~~, provided, however, that it shall be the duty of~~  
14 ~~the board of regents to approve and issue a proposed charter resubmitted~~  
15 ~~by the charter entity described in paragraph (b) of subdivision three of~~  
16 ~~section twenty-eight hundred fifty-one of this article within thirty~~  
17 ~~days of the resubmission of such proposed charter or such proposed char-~~  
18 ~~ter shall be deemed approved and issued at the expiration of such peri-~~  
19 ~~od].~~ No resubmitted proposed charter shall be approved by the charter  
20 entity unless all recommendations of the board of regents are made to  
21 the satisfaction of the board of regents in such resubmission. Such  
22 charter shall not be approved if the board of regents recommends that  
23 the charter be abandoned.

24 § 2. This act shall take effect on the thirtieth day after it shall  
25 have become a law.

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

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