STATE OF NEW YORK

1986

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

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

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, paragraph (c) as amended and paragraph (d) as added by section 2 of part D2 of chapter 57 of the laws of 2007, are amended 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.

§ 2. This act shall take effect immediately.

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

LBD03008-01-3