STATE OF NEW YORK

4502

2023-2024 Regular Sessions

IN ASSEMBLY

February 16, 2023

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 Assembly, do enact as follows:

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

5-b. If the board of regents returns a proposed charter to the charter entity pursuant to the provisions of subdivision five-a of this section, such charter entity shall reconsider the proposed charter, taking into consideration the comments and recommendation of the board of regents. Thereafter, the charter entity shall resubmit the proposed charter to the board of regents with modifications, provided that the applicant consents in writing to such modifications, [~~resubmit the proposed charter to the board of regents without modifications,~~] or abandon the proposed charter. The board of regents shall review each such resubmitted proposed charter in accordance with the provisions of subdivision five-a of this section[~~; provided, however, that it shall be the duty of the board of regents to approve and issue a proposed charter resubmitted by the charter entity described in paragraph (b) of subdivision three of section two hundred fifty-one of this article within thirty days of the resubmission of such proposed charter or such proposed charter shall be deemed approved and issued at the expiration of such period~~]. **No resubmitted proposed charter shall be approved by the charter entity unless all recommendations of the board of regents are made to the satisfaction of the board of regents in such resubmission. Such charter shall not be approved if the board of regents recommends that the charter be abandoned.**

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

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

LBD02917-01-3