

# STATE OF NEW YORK

7842

2023-2024 Regular Sessions

## IN SENATE

December 29, 2023

Introduced by Sen. JACKSON -- 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 authorizing a weighted selection process for the allocation of certain prekindergarten seats

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

1 Section 1. Paragraph i of subdivision 7 of section 3602-e of the  
2 education law, as amended by section 19 of part B of chapter 57 of the  
3 laws of 2007, is amended to read as follows:

4 i. establishes a method for selection of eligible children to receive  
5 prekindergarten program services on a random selection basis where there  
6 are more eligible children than can be served in a given school year,  
7 provided, however, that in a school district where there are more eligi-  
8 ble children than can be served in a given school year that such school  
9 district elect to first enroll children who would be eligible for free  
10 or reduced price lunch and/or children who are English language lear-  
11 ners. If a district elects to prioritize enrollment of children who are  
12 eligible for free or reduced price lunch and/or children who are English  
13 language learners and there are more such eligible children than can be  
14 served in a given school year, such school district shall establish a  
15 method for selection among such eligible children on a random basis, and  
16 provided further that a school district that operated a targeted prekin-  
17 dergarten program in the base year may use the selection process estab-  
18 lished for such program.

19 § 2. This act shall take effect immediately.

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

LBD11757-01-3