

# STATE OF NEW YORK

2621

2025-2026 Regular Sessions

## IN ASSEMBLY

January 21, 2025

Introduced by M. of A. SAYEGH, KELLES, SEAWRIGHT, GALLAGHER, FORREST, GONZALEZ-ROJAS, JACOBSON, MIKULIN, SIMON, SANTABARBARA, TAYLOR, WILLIAMS, ZINERMAN, COOK, SHIMSKY, DeSTEFANO, GIGLIO, LEMONDES, DAVILA, HYNDMAN, BROOK-KRASNY -- Multi-Sponsored by -- M. of A. LEVENBERG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to updating the census numbers used to calculate certain education funding

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

1 Section 1. This act shall be known and may be cited as the "education  
2 funding census update act".  
3 § 2. Subparagraphs (ii), (iii) and (iv) of paragraph q of subdivision  
4 1 of section 3602 of the education law, as amended by section 16 of part  
5 YYY of chapter 59 of the laws of 2017, are amended to read as follows:  
6 (ii) "Census count" shall mean the product of the public school  
7 enrollment of the school district on the date enrollment was counted in  
8 accordance with this subdivision for the base year multiplied by the  
9 census [2000] poverty rate.  
10 (iii) "Census [2000] poverty rate" shall mean the quotient of the  
11 number of persons aged five to seventeen within the school district,  
12 based on the most recent federal decennial census conducted [~~in the year~~  
13 ~~two thousand~~] as tabulated by the National Center on Education Statis-  
14 tics, who were enrolled in public schools and whose families had incomes  
15 below the poverty level, divided by the total number of persons aged  
16 five to seventeen within the school district, based on such decennial  
17 census, who were enrolled in public schools, computed to four decimals  
18 without rounding.  
19 (iv) "Selected poverty rate" shall mean: (A) for school districts with  
20 high concentrations of nonpublic students, the greater of the census  
21 [2000] poverty rate or the three-year average small area income and  
22 poverty estimate poverty rate; and (B) for all other school districts,

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

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1 the three-year average small area income and poverty estimate poverty  
2 rate. For the purposes of this subparagraph, "three-year average small  
3 area income and poverty estimate poverty rate" shall equal the quotient  
4 of (1) the sum of the number of persons aged five to seventeen within  
5 the school district, based on the small area income and poverty esti-  
6 mates produced by the United States census bureau, whose families had  
7 incomes below the poverty level for the year two years prior to the year  
8 in which the base year began, plus such number for the year three years  
9 prior to the year in which the base year began, plus such number for the  
10 year four years prior to the year in which the base year began, divided  
11 by (2) the sum of the total number of persons aged five to seventeen  
12 within the school district, based on such census bureau estimates, for  
13 the year two years prior to the year in which the base year began, plus  
14 such total number for the year three years prior to the year in which  
15 the base year began, plus such total number for the year four years  
16 prior to the year in which the base year began, computed to four deci-  
17 mals without rounding.

18 § 3. Clause 1 of subparagraph (G) of paragraph b of subdivision 17 of  
19 section 3602 of the education law, as added by section 37 of part A of  
20 chapter 58 of the laws of 2011, is amended to read as follows:

21 (1) in the case of a district determined to be a high-need school  
22 district pursuant to clause (c) of subparagraph two of paragraph c of  
23 subdivision six of this section for the school aid computer listing  
24 produced by the commissioner in support of the enacted budget for the  
25 two thousand seven--two thousand eight school year and entitled  
26 "SA0708",

27 (a) in the case of a city school district in a city with a population  
28 in excess of one million inhabitants, four and five hundred thirty-seven  
29 thousandths percent (0.04537),

30 (b) in the case of a city school district in a city with a population  
31 of more than two hundred fifty thousand inhabitants and less than one  
32 million inhabitants according to the [~~two thousand~~ most recent federal  
33 census, four and one-tenth percent (0.041),

34 (c) in the case of a city school district in a city with a population  
35 of more than two hundred ten thousand inhabitants and less than two  
36 hundred fifty thousand inhabitants according to the [~~two thousand~~ most  
37 recent federal census, four and thirteen hundredths percent (0.0413),

38 (d) in the case of a city school district in a city with a population  
39 of more than one hundred seventy thousand inhabitants and less than two  
40 hundred ten thousand inhabitants according to the [~~two thousand~~ most  
41 recent federal census, five and ninety-seven hundredths percent  
42 (0.0597),

43 (e) in the case of a city school district in a city with a population  
44 of more than one hundred thousand inhabitants and less than one hundred  
45 seventy thousand inhabitants according to the [~~two thousand~~ most recent  
46 federal census, five and fifty-three hundredths percent (0.0553),

47 (f) in the case of any other such school district which has a three-  
48 year average free and reduced price lunch percent greater than seventy-  
49 five percent (0.75) and which has an administrative efficiency ratio  
50 less than one and fifty-five hundredths percent (0.0155), four and nine  
51 hundredths percent (0.0409), and

52 (g) for all other such school districts, six and eight-tenths percent  
53 (0.068), or

54 § 4. This act shall take effect on the first of April next succeeding  
55 the date on which it shall have become a law.