

# STATE OF NEW YORK

6312

2025-2026 Regular Sessions

## IN ASSEMBLY

March 3, 2025

Introduced by M. of A. PEOPLES-STOKES, LUNSFORD -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the financing of charter schools

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

1 Section 1. Paragraph (d) of subdivision 1 of section 2856 of the  
2 education law, as amended by section 30 of part A of chapter 56 of the  
3 laws of 2024, is amended to read as follows:

4 (d) School districts shall be eligible for an annual apportionment  
5 equal to the amount of the supplemental basic tuition for the charter  
6 school in the base year for the expenses incurred in the two thousand  
7 fourteen--two thousand fifteen, two thousand fifteen--two thousand  
8 sixteen, two thousand sixteen--two thousand seventeen school years and  
9 thereafter, provided, however, that for any school district having a

10 population of less than one million, such payment shall be made in the  
11 current year for expenses incurred in the two thousand twenty-five--two  
12 thousand twenty-six school year and thereafter. Provided, further, that

13 for expenses incurred in the two thousand twenty--two thousand twenty-  
14 one school year, for a city school district in a city having a popu-  
15 lation of one million or more, the annual apportionment shall be reduced  
16 by thirty-five million dollars (\$35,000,000) upon certification by the  
17 director of the budget of the availability of a grant in the same amount  
18 from the elementary and secondary school emergency relief funds provided  
19 through the American rescue plan act of 2021 (P.L. 117-2). Provided  
20 further that for expenses incurred in the two thousand twenty-three--two  
21 thousand twenty-four school year, for a city school district in a city  
22 having a population of one million or more, the annual apportionment  
23 shall be reduced by thirty-five million dollars (\$35,000,000) upon  
24 certification by the director of the budget of the availability of a  
25 grant in the same amount from the elementary and secondary school emer-

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

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1 agency relief funds provided through the American rescue plan act of 2021  
2 (P.L. 117-2).

3 § 2. Paragraph (c) of subdivision 1 of section 2856 of the education  
4 law, as amended by section 31 of part A of chapter 56 of the laws of  
5 2024, is amended to read as follows:

6 (c) School districts shall be eligible for an annual apportionment  
7 equal to the amount of the supplemental basic tuition for the charter  
8 school in the base year for the expenses incurred in the two thousand  
9 fourteen--two thousand fifteen, two thousand fifteen--two thousand  
10 sixteen, two thousand sixteen--two thousand seventeen school years and  
11 thereafter, provided, however, that for any school district having a  
12 population of less than one million, such payment shall be made in the  
13 current year for expenses incurred in the two thousand twenty-five--two  
14 thousand twenty-six school year and thereafter. Provided that for  
15 expenses incurred in the two thousand twenty--two thousand twenty-one  
16 school year, for a city school district in a city having a population of  
17 one million or more, the annual apportionment shall be reduced by thir-  
18 ty-five million dollars (\$35,000,000) upon certification by the director  
19 of the budget of the availability of a grant in the same amount from the  
20 elementary and secondary school emergency relief funds provided through  
21 the American rescue plan act of 2021 (P.L. 117-2). Provided further that  
22 for expenses incurred in the two thousand twenty-three--two thousand  
23 twenty-four school year, for a city school district in a city having a  
24 population of one million or more, the annual apportionment shall be  
25 reduced by thirty-five million dollars (\$35,000,000) upon certification  
26 by the director of the budget of the availability of a grant in the same  
27 amount from the elementary and secondary school emergency relief funds  
28 provided through the American rescue plan act of 2021 (P.L. 117-2).

29 § 3. Section 3602 of the education law is amended by adding a new  
30 subdivision 42 to read as follows:

31 42. Aid for charter school tuition payments. (a) Any school district  
32 that is required to pay tuition to charter schools pursuant to section  
33 twenty-eight hundred fifty-six of this chapter in the two thousand twen-  
34 ty-five--two thousand twenty-six school year and thereafter shall be  
35 eligible for an apportionment under this subdivision.

36 (b) Each school year, any such eligible school district shall submit  
37 the total amount of charter school tuition paid by the district in the  
38 base year on a form prescribed by the commissioner.

39 (c) The apportionment herein for each school district shall equal the  
40 positive result of total charter school basic tuition paid in the  
41 current year minus the total charter school basic tuition paid in the  
42 two thousand twenty-five--two thousand twenty-six school year.

43 § 4. This act shall take effect immediately; provided that the amend-  
44 ments to subdivision 1 of section 2856 of the education law made by  
45 section one of this act shall be subject to the expiration and reversion  
46 of such subdivision pursuant to subdivision d of section 27 of chapter  
47 378 of the laws of 2007, as amended, when upon such date the provisions  
48 of section two of this act shall take effect.