

STATE OF NEW YORK

5987

2025-2026 Regular Sessions

IN SENATE

March 4, 2025

Introduced by Sen. BYNOE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT in relation to prohibiting the establishment of new charter schools in certain areas

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

1 Section 1. Legislative intent. It is the intent of this act to address
2 the oversaturation of charter schools in the Hempstead, Roosevelt and
3 Uniondale communities. Charter schools were first authorized in New York
4 State in 1998 and were designed to provide parents and students with
5 additional educational opportunities. In the three decades since enact-
6 ment, there has been an increase of charter schools in certain communi-
7 ties. The method for funding charter schools from public school district
8 budgets creates a disparity for public schools and impacts their ability
9 to maintain programs and services. Funds from public school district
10 budgets are used to pay tuition for students attending charter schools.
11 Multiple charter schools located within a radius of a public school
12 district results in reduced funds in the public school district's budg-
13 et, thereby creating fiscal challenges for the impacted districts. It
14 is the intent of the legislature to help impacted school districts by
15 enacting a moratorium on any additional charter school sitings or expan-
16 sions within the five-mile radius of Hempstead, Roosevelt and Uniondale
17 school buildings.

18 Furthermore, these challenges have been particularly intractable for
19 certain school districts in Nassau County, including the Hempstead Union
20 Free School District, the Uniondale Union Free School District and the
21 Roosevelt Union Free School District. Such districts contain an
22 increased number of charter schools, with at least ten physical campuses
23 between the three school districts. For example, in academic year 2024-
24 2025, approximately \$115 million from these three districts was given to
25 charter schools. Additionally, in academic year 2024-2025, student

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

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1 attendance at charter schools was 34% at Hempstead Union Free School
2 District, 17% at Roosevelt Union Free School District and 13% at Union-
3 dale Union Free School District. It is difficult for such school
4 districts to cover the budget gaps created by this loss of funding with-
5 out fiscal relief.

6 § 2. Notwithstanding any provision of law, rule, or regulation to the
7 contrary, no application to establish a charter school submitted pursu-
8 ant to section twenty-eight hundred fifty-one of the education law shall
9 be approved by any charter entity if such proposed charter school would
10 operate in the Hempstead Union Free School District, the Uniondale Union
11 Free School District, or the Roosevelt Union Free School District or in
12 any part of any other school district within a five mile radius of the
13 Hempstead Union Free School District, the Uniondale Union Free School
14 District, or the Roosevelt Union Free School District.

15 A charter that has been surrendered, revoked, or terminated pursuant
16 to section twenty-eight hundred fifty-five of the education law that
17 operated in the Hempstead Union Free School District, the Uniondale
18 Union Free School District, or the Roosevelt Union Free School District
19 or in any part of any other school district within a five mile radius of
20 the Hempstead Union Free School District, the Uniondale Union Free
21 School District, or the Roosevelt Union Free School District, including
22 a charter that has not been renewed by action of its charter entity,
23 shall not be reissued. Additionally, no application to revise a charter
24 school to increase the number of students to be served by such charter
25 school, increase the ages and grade levels to be served by such charter
26 school, or to increase the number of facilities or locations used by
27 such charter school, submitted pursuant to section twenty-eight hundred
28 fifty-two of the education law shall be approved by any charter entity
29 if such charter school would operate in the Hempstead Union Free School
30 District, the Uniondale Union Free School District, or the Roosevelt
31 Union Free School District or in any part of any other school district
32 within a five mile radius of the Hempstead Union Free School District,
33 the Uniondale Union Free School District, or the Roosevelt Union Free
34 School District. For the purposes of this section, a school district
35 shall mean the boundary of service provided by such school district.

36 § 3. This act shall take effect immediately.