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:

Section 1. Legislative intent. It is the intent of this act to address the oversaturation of charter schools in the Hempstead, Roosevelt and Uniondale communities. Charter schools were first authorized in New York State in 1998 and were designed to provide parents and students with additional educational opportunities. In the three decades since enactment, there has been an increase of charter schools in certain communities. The method for funding charter schools from public school district budgets creates a disparity for public schools and impacts their ability to maintain programs and services. Funds from public school district budgets are used to pay tuition for students attending charter schools. Multiple charter schools located within a radius of a public school district results in reduced funds in the public school district's budget, thereby creating fiscal challenges for the impacted districts. It is the intent of the legislature to help impacted school districts by enacting a moratorium on any additional charter school sitings or expansions within the five-mile radius of Hempstead, Roosevelt and Uniondale school buildings.

Furthermore, these challenges have been particularly intractable for certain school districts in Nassau County, including the Hempstead Union Free School District, the Uniondale Union Free School District and the Roosevelt Union Free School District. Such districts contain an increased number of charter schools, with at least ten physical campuses between the three school districts. For example, in academic year 2024-2025, approximately $115 million from these three districts was given to 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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attendance at charter schools was 34% at Hempstead Union Free School District, 17% at Roosevelt Union Free School District and 13% at Uniondale Union Free School District. It is difficult for such school districts to cover the budget gaps created by this loss of funding without fiscal relief.

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

A charter that has been surrendered, revoked, or terminated pursuant to section twenty-eight hundred fifty-five of the education law that operated in the Hempstead Union Free School District, the Uniondale Union Free School District, or the Roosevelt Union Free School District or in any part of any other school district within a five mile radius of the Hempstead Union Free School District, the Uniondale Union Free School District, or the Roosevelt Union Free School District, including a charter that has not been renewed by action of its charter entity, shall not be reissued. Additionally, no application to revise a charter school to increase the number of students to be served by such charter school, increase the ages and grade levels to be served by such charter school, or to increase the number of facilities or locations used by such charter school, submitted pursuant to section twenty-eight hundred fifty-two of the education law shall be approved by any charter entity if such charter school would operate in the Hempstead Union Free School District, the Uniondale Union Free School District, or the Roosevelt Union Free School District or in any part of any other school district within a five mile radius of the Hempstead Union Free School District, the Uniondale Union Free School District, or the Roosevelt Union Free School District. For the purposes of this section, a school district shall mean the boundary of service provided by such school district.

§ 3. This act shall take effect immediately.