

STATE OF NEW YORK

702

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring that all special education students attending schools scheduled to be closed or to undergo a significant change be assigned to new schools prior to the implementation of the closing or change

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

1 Section 1. Paragraphs (b) and (e) of subdivision 2-a of section 2590-h
2 of the education law, as added by chapter 345 of the laws of 2009, are
3 amended to read as follows:

4 (b) Such educational impact statement shall include the following
5 information regarding the proposed school closing or significant change
6 in school utilization:

7 (i) the current and projected pupil enrollment of the affected school,
8 the prospective need for such school building, the ramifications of such
9 school closing or significant change in school utilization upon the
10 community, initial costs and savings resulting from such school closing
11 or significant change in school utilization, the potential disposability
12 of any closed school;

13 (ii) the impacts of the proposed school closing or significant change
14 in school utilization to any affected students;

15 (iii) an outline of any proposed or potential use of the school building
16 for other educational programs or administrative services;

17 (iv) the effect of such school closing or significant change in school
18 utilization on personnel needs, the costs of instruction, administration,
19 transportation, and other support services;

20 (v) the type, age, and physical condition of such school building,
21 maintenance, and energy costs, recent or planned improvements to such
22 school building, and such building's special features;

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

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1 (vi) the ability of other schools in the affected community district
2 to accommodate pupils following the school closure or significant change
3 in school utilization, including a list of such schools with each
4 school's most recently available enrollment, utilization rate, and
5 percentage of special education pupils and the total number of special
6 education students impacted by the school closure or the change in
7 school utilization; and

8 (vii) information regarding such school's academic performance includ-
9 ing whether such school has been identified as a school under registra-
10 tion review or has been identified as a school requiring academic
11 progress, a school in need of improvement, or a school in corrective
12 action or restructuring status.

13 (e) (i) Except as otherwise provided in paragraph (f) of this subdivi-
14 sion, all proposed school closings or significant changes in school
15 utilization shall be approved by the city board pursuant to section
16 twenty-five hundred ninety-g of this article and shall not take effect
17 until all the provisions of this subdivision have been satisfied and the
18 school year in which such city board approval was granted, has ended.

19 (ii) Except as otherwise provided in paragraph (f) of this subdivi-
20 sion, no proposed school closing or significant change in school utili-
21 zation shall take effect until all special education pupils in the
22 affected school have been assigned to new schools within the city of New
23 York and the chancellor has verified that each new school within the
24 city of New York accepting special education students from the affected
25 school can accommodate such pupils.

26 § 2. This act shall take effect immediately; provided that the amend-
27 ments to subdivision 2-a of section 2590-h of the education law made by
28 section one of this act shall not affect the repeal of such subdivision
29 and shall be deemed repealed therewith.