STATE OF NEW YORK

1491

2025-2026 Regular Sessions

IN SENATE

January 10, 2025

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

AN ACT to amend the education law, in relation to authorizing a weighted selection process for the allocation of certain prekindergarten seats

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

Section 1. Paragraph i of subdivision 7 of section 3602-e of the education law, as amended by section 19 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

i. establishes a method for selection of eligible children to receive prekindergarten program services on a random selection basis where there are more eligible children than can be served in a given school year, provided, however, **that in a school district where there are more eligible children than can be served in a given school year that such school district elect to first enroll children who would be eligible for free or reduced price lunch and/or children who are emergent multilingual learners. If a district elects to prioritize enrollment of children who are eligible for free or reduced price lunch and/or children who are emergent multilingual learners and there are more such eligible children than can be served in a given school year, such school district shall establish a method for selection among such eligible children on a random basis, and provided further** that a school district that operated a targeted prekindergarten program in the base year may use the selection process established for such program.

§ 2. This act shall take effect immediately.

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

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