§ 4115. Apportionment. 1. If the education of Indian children of a reservation is being provided pursuant to the provisions of subdivision two of section forty-one hundred one of this article, such Indian children in attendance on the date construction is commenced shall be included in the computation of a building quota pursuant to subdivision six-a of section thirty-six hundred two of this chapter for the school district providing such education. In the event that a district which has furnished instruction to Indian children shall cease to furnish such instruction, any building quota paid such district pursuant to the provisions of such subdivision six-a shall be recomputed to remove the Indian children from the computation of such building quota for such district.

2. a. Except as otherwise provided in this subdivision, if the education of Indian children of a reservation shall be provided pursuant to the provisions of subdivision two of section forty-one hundred one of this article, such Indian children shall be included in the pupils deemed in weighted averaged daily attendance, average daily membership, total aidable pupil units, total aidable foundation pupil units and total wealth pupil units for the school district providing such education and such Indian children shall be deemed to be resident pupils of the district for the purpose of the computation of the apportionment of public moneys to the school district providing such education.

b. During the first school year, beginning on or after July first, nineteen hundred fifty-six, in which Indian children are educated in the schools of a school district pursuant to the provisions of subdivision two of section forty-one hundred one of this article, there shall be apportioned and paid to each such school district the sum of:

(1) Three hundred thirty dollars for each Indian pupil in grades one through six in average daily attendance during the month of October, including kindergarten Indian children who attend for a full day. Where kindergarten Indian children attend but one-half day the district shall be entitled to one hundred sixty-five dollars for each such pupil.

(2) Four hundred twelve dollars and fifty cents for each Indian pupil in grades seven to twelve inclusive in average daily attendance during the month of October.

c. The provisions of paragraph b of this subdivision shall not apply in respect to an Indian child who was not educated in an Indian school maintained by the state of New York during a part of the school year immediately preceding the school year in which such payment is made, but shall apply to an Indian child who would have been educated in an Indian school maintained by the state of New York during a part of the school year in which such payment is made if the education of such Indian child had not been provided for pursuant to the provisions of subdivision two of section forty-one hundred one of this article.

d. In the event that a school district ceases to educate Indian children pursuant to the provisions of subdivision two of section forty-one hundred one of this article, any state aid received by such school district during the ensuing school year by reason of the attendance of Indian children during the last school year instruction was furnished such Indian children shall be reduced by the amount of any payment made such district during the first year Indian children were educated in the schools of such district pursuant to the provisions of subdivision two of section forty-one hundred one of this article by reason of the attendance of such Indian children.

3. All children at the Thomas Indian school, and all Indian children residing on any of the reservations of the state who are qualified to enter a secondary school and whose parents are unable to provide such education are eligible to appointment by the commissioner of education as state pupils and as such to receive transportation to and from a high school or vocational school on each day of attendance. Whenever such high school or vocational school shall be in a city or district other than one in which such pupils may have the legal right to attend without charge, and where a charge is imposed on non-resident pupils, the state shall also pay the required non-resident fee for tuition. The required non-resident fee for tuition shall not exceed the total cost to the school district of the education of such Indian children, less any public moneys received by the school district by reason of the attendance of such Indian children in regular day school, except any public moneys received by the district as a building quota pursuant to

the provisions of subdivision six-a of section thirty-six hundred two of this chapter. The commissioner of taxation and finance shall pay on the warrant of the comptroller bills approved by the commissioner of education from the appropriation for general support for the public schools, out of such sum as may be appropriated for such support and education of Indian youth for the amounts necessary for the purposes set forth in this section.