

925--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommended to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring fixed percentages of school district budgets to be used for classroom expenses

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 1527-a
2 to read as follows:
3 S 1527-A. SCHOOL BUDGET CLASSROOM EXPENSES. 1. FOR PURPOSES OF THIS
4 SECTION, THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO PROMUL-
5 GATE RULES AND REGULATIONS TO DEFINE THE TERM "CLASSROOM EXPENSES" AND
6 TO IDENTIFY THOSE EXPENSES AT A SCHOOL DISTRICT WHICH SHALL QUALIFY AS
7 CLASSROOM EXPENSES.
8 2. BEGINNING WITH THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN
9 SCHOOL YEAR AND EVERY SCHOOL YEAR THEREAFTER, THE SCHOOL DISTRICT BUDGET
10 FOR EACH SCHOOL DISTRICT IN THIS STATE SHALL, AT A MINIMUM, PROVIDE A
11 FIXED PERCENTAGE AMOUNT OF SUCH BUDGET THAT SHALL BE DEDICATED AND
12 UTILIZED FOR CLASSROOM EXPENSES WITHIN SUCH SCHOOL DISTRICT, AS FOLLOWS:
13 A. FOR THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN SCHOOL YEAR,
14 SUCH FIXED PERCENTAGE AMOUNT SHALL BE SIXTY-FIVE PERCENT OF THE TOTAL
15 SCHOOL DISTRICT BUDGET;
16 B. FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEAR,
17 SUCH FIXED PERCENTAGE AMOUNT SHALL BE SEVENTY PERCENT OF THE TOTAL
18 SCHOOL DISTRICT BUDGET; AND

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

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1 C. FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND
2 EACH SCHOOL YEAR THEREAFTER, SUCH FIXED PERCENTAGE AMOUNT SHALL BE
3 SEVENTY-FIVE PERCENT OF THE TOTAL SCHOOL DISTRICT BUDGET.

4 3. ANY SCHOOL DISTRICT WHICH PROVIDES LESS THAN THE REQUIRED FIXED
5 PERCENTAGE AMOUNT FOR CLASSROOM EXPENSES SET FORTH IN SUBDIVISION TWO OF
6 THIS SECTION FOR ANY SCHOOL YEAR SHALL INCREASE THAT PORTION OF ITS
7 BUDGET DEDICATED AND UTILIZED FOR CLASSROOM EXPENSES BY A MINIMUM OF TWO
8 PERCENT EACH YEAR UNTIL SUCH SCHOOL DISTRICT IS IN COMPLIANCE WITH THE
9 REQUIREMENTS OF THIS SECTION.

10 4. IF ANY SCHOOL DISTRICT IS UNABLE TO COMPLY WITH THE PROVISIONS OF
11 THIS SECTION FOR ANY SCHOOL YEAR, SUCH SCHOOL DISTRICT MAY APPLY TO THE
12 COMMISSIONER FOR A WAIVER FROM THE PROVISIONS OF THIS SECTION FOR SUCH
13 SCHOOL YEAR. UPON A FINDING BY THE COMMISSIONER THAT SPECIAL CIRCUM-
14 STANCES EXIST THAT JUSTIFY SUCH NONCOMPLIANCE, THE COMMISSIONER SHALL
15 GRANT SUCH WAIVER FOR SUCH SCHOOL YEAR. SUCH WAIVER SHALL BE RENEWABLE
16 ON A YEAR TO YEAR BASIS UPON A FINDING BY THE COMMISSIONER THAT SUCH
17 SPECIAL CIRCUMSTANCES CONTINUE TO EXIST.

18 S 2. This act shall take effect immediately.