

STATE OF NEW YORK

3117

2017-2018 Regular Sessions

IN ASSEMBLY

January 26, 2017

Introduced by M. of A. RA, RAIA, LUPINACCI, McDONOUGH, GARBARINO, GRAF, SALADINO, LOPEZ -- read once and referred to the Committee on Ways and Means

AN ACT to amend the education law and chapter 53 of the laws of 2014 enacting the aid to localities budget, in relation to the collaborative curriculum development fund; and to repeal subdivision 6-c of section 3641 of the education law relating thereto

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

1 Section 1. Section 1 of chapter 53 of the laws of 2014, enacting the
2 Aid to Localities Budget, is amended by repealing the items herein below
3 set forth in brackets and by adding to such section the other items
4 underscored in this section.

5 EDUCATION DEPARTMENT

6 AID TO LOCALITIES - REAPPROPRIATIONS 2014-15

7 OFFICE OF PREKINDERGARTEN THROUGH GRADE TWELVE EDUCATION PROGRAM

8 General Fund

9 Local Assistance Account - 10000

10 The appropriation made by chapter 53, section 1, of the laws of 2011, as
11 amended by chapter 53, section 1, of the laws of 2013, is hereby
12 amended and reappropriated to read:

13 For a school district management efficiency awards program. Funds
14 appropriated herein shall be used to provide competitive awards to
15 school districts based on a plan developed by the commissioner and
16 approved by the director of the budget. Provided that such funds may
17 only be awarded to a school district which demonstrates that it has

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

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implemented one or more long term efficiencies within two years prior to a response to a request for proposal or during the current school year in school district management, operations, procurement practices or other cost savings measures and will not result in an increase in cost to the state or the locality and: (i) have resulted or will result in a significant reduction in total operating expenses compared to the prior year and/or significant reductions in the administrative component, or the equivalent, of the school district budget and/or transportation operating expenses and/or transportation capital expenses and/or other non-personal service costs included in the program component of the school district budget compared to the prior year; and (ii) are expected to result in substantial and recurring cost savings in total operating expenses and/or recurring significant reductions in administrative expenditures, or the equivalent, and/or transportation operating expenses and/or transportation capital expenses and/or other non-personal service costs included in the program component of the school district budget in future years; provided further that, a school district that submits documentation that has been approved by the commissioner by September 1 of 2013 and of each school year in which a payment is made from this appropriation demonstrating that it has fully implemented new standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals to determine teacher and principal effectiveness shall receive bonus points in the scoring of its grant application.

Provided further that, notwithstanding any provision of law to the contrary, in addition to the competitive awards amount as defined in paragraph ee of subdivision 1 of section 3602 of the education law, a minimum of \$37,500,000 shall be available for the payment of grant awards made in the 2013-14 school year, with additional amounts to be made available in the 2014-15 state fiscal year as necessary to continue such awards and make an additional round of awards pursuant to subdivision 6-a of section 3641 of the education law in the 2014-15 school year not to exceed the amount awarded in the 2013-14 school year pursuant to such subdivision 6-a, and such \$37,500,000 shall be made available for \$12,500,000 of prekindergarten grants, \$10,000,000 of school-wide extended learning grants, \$7,500,000 of community schools grants, \$5,500,000 for a master teacher program and \$2,000,000 for the early college high school program; provided, however, that no school district shall receive any portion of the funds appropriated herein unless it shall have submitted documentation that has been approved by the commissioner by September 1 of 2013 and of each school year in which a payment to such district from this appropriation would otherwise be made demonstrating that it has fully implemented new standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals to determine teacher and principal effectiveness.

Provided, further, that notwithstanding any provision of law to the contrary, the \$12,500,000 appropriated herein available for full-day and half-day pre-kindergarten grants shall be awarded, based on a request for proposals developed by the commissioner and approved by the director of the budget, to school districts to establish new full-day and half-day pre-kindergarten placements and/or to convert existing half-day pre-kindergarten placements into full-day placements; provided that preference shall be granted for full-day place-

ments while ensuring that a portion of grants include half-day placements based on eligible applications; and provided, further, that such grants shall only be used to supplement, not supplant existing pre-kindergarten programs, and provided further, however, that any portion of such \$12,500,000 that is not awarded shall remain available for subsequent awards in the 2013-14 school year or for full-day and half-day pre-kindergarten grants to be awarded in subsequent school years. Provided, further, that such grants from funds appropriated herein shall be awarded based on factors including, but not limited to, the following: (i) measures of school district need, (ii) measures of the need of students to be served by each of the school districts, (iii) the school district's proposal to target the highest need schools and students, (iv) the extent to which the district's proposal would prioritize funds to maximize the total number of eligible children in the district served in pre-kindergarten programs, and (v) proposal quality. Provided, however, that full-day and half-day pre-kindergarten grants appropriated herein shall only be available to support programs (i) that provide instruction for at least five hours per school day for full-day pre-kindergarten programs and at least two and one-half hours per school day for half-day pre-kindergarten programs; (ii) that agree to offer instruction consistent with the New York state pre-kindergarten foundation for the common core standards within three years; (iii) that ensure that, to the extent community-based providers are part of such program, such providers meet the requirements of paragraphs d-1 and d-2 of subdivision 12 of section 3602-e of the education law; and (iv) that otherwise comply with all of the same rules and requirements as universal pre-kindergarten programs pursuant to section 3602-e of the education law except as modified herein. Provided, further, that a school district's pre-kindergarten grant shall equal the product of (A) (i) two multiplied by the approved number of new full-day pre-kindergarten placements plus (ii) the approved number of half-day pre-kindergarten placement conversions and new half-day pre-kindergarten placements, and (B) the district's selected aid per pre-kindergarten pupil pursuant to subparagraph i of paragraph b of subdivision 10 of section 3602-e of the education law; provided, however, that no district shall receive a grant in excess of the total actual grant expenditures incurred by the district in the current school year as approved by the commissioner. Provided, further, that as a condition of eligibility for receipt of such funding, a school district shall agree to adopt approved quality indicators within two years, including, but not limited to, valid and reliable measures of environmental quality, the quality of teacher-student interactions and child outcomes, and ensure that any such assessment of child outcomes shall not be used to make high-stakes educational decisions for individual children. Provided, further, that no school district shall receive more than forty percent of the total pre-kindergarten grant allocation.

Provided, further, that notwithstanding any provision of law to the contrary, the \$10,000,000 appropriated herein available for school-wide extended learning grants shall be awarded to school districts or school districts in collaboration with not-for-profit community-based organizations based on responses to a request for proposals for planning and implementation grants that is (i) developed by the commissioner; (ii) approved by the director of the budget; and (iii) issued by the commissioner. Provided, further, that such grants

shall be awarded based on factors including, but not limited to, the following: (i) the school district's proposal to target the schools and students with the greatest need, and (ii) proposal quality. Provided, further, that to assess proposal quality in order to award implementation grant funding, the commissioner shall take into account factors including, but not limited to: (i) the extent to which the school district's proposal would maximize the use of the additional learning time through a comprehensive restructuring of the school day and/or year, (ii) the extent to which the proposal would provide additional learning time for students in grades six through eight, and (iii) how the additional learning time would be utilized, including, but not limited to, additional time spent on core academics. Provided, however, that no district shall be eligible to receive a school-wide extended learning grant unless its proposal would increase student learning time by at least 25 percent. Provided, further, that a school district's schoolwide extended learning implementation grant shall equal its average daily attendance in the school-wide extended learning program multiplied by the expected cost per pupil of the additional learning time; provided, further, that the expected cost per pupil of the additional learning time shall equal the greater of \$1,500 or (A) the quotient of (i) the school district's approved operating expense, pursuant to paragraph t of subdivision 1 of section 3602 of the education law, for the year prior to the base year, divided by (ii) the district's public school district enrollment, pursuant to subparagraph (2) of paragraph n of such subdivision, for the year prior to the base year, multiplied by (B) 10 percent (0.10), multiplied by (C) the quotient of (i) the average of the national consumer price indexes determined by the United States department of labor for the 12-month period preceding January first of the base year, divided by (ii) the average of the national consumer price indexes determined by the United States department of labor for the 12-month period preceding January first of the year two years prior to the base year; provided, however, that in extraordinary cases the commissioner may award a grant that exceeds the per pupil limit described above; provided further, however, that no district shall receive a grant in excess of the total actual grant expenditures incurred by the district in the current school year as approved by the commissioner. Provided, further, that no school district shall receive more than forty percent of the total school-wide extended learning grant allocation.

Provided, further, that notwithstanding any provision of law to the contrary, the \$7,500,000 appropriated herein available for community schools grants shall be awarded, based on a request for proposals (i) developed by the state council on children and families in coordination with the commissioner, (ii) approved by the director of the budget and (iii) issued by the commissioner, to school districts, or in a city with a population of one million or more an eligible entity, to improve student outcomes through the implementation of community schools programs that use school buildings as community hubs to deliver co-located or school-linked academic, health, mental health, nutrition, counseling, legal and/or other services to students and their families. In a city with a population of one million or more, eligible entities shall mean the city school district of the city of New York, or not-for-profit organizations, which shall include not-for-profit community-based organizations. An eligible entity that is

1 a not-for-profit may apply for a community school grant provided
2 that it collaborates with the city school district of the city of
3 New York and receives the approval of the chancellor of the city
4 school district of the city of New York. Provided, further, that
5 such grants shall be awarded based on factors including, but not
6 limited to, the following: (i) measures of school district need,
7 (ii) measures of the need of students to be served by each of the
8 school districts, (iii) the school district's proposal to target the
9 highest need schools and students, (iv) the sustainability of the
10 proposed community schools program, and (v) proposal quality.
11 Provided, further, that to assess proposal quality in order to award
12 such funding, the commissioner shall take into account factors
13 including, but not limited to: (i) the extent to which the school
14 district's proposal would provide such community services through
15 partnerships with local governments and non-profit organizations,
16 (ii) the extent to which the proposal would provide for delivery of
17 such services directly in school buildings, (iii) the extent to
18 which the proposal articulates how such services would facilitate
19 measurable improvement in student and family outcomes, (iv) the
20 extent to which the proposal articulates and identifies how existing
21 funding streams and programs would be used to provide such community
22 services, and (v) the extent to which the proposal ensures the safe-
23 ty of all students, staff and community members in school buildings
24 used as community hubs. Provided, however, that community schools
25 grants appropriated herein shall be paid to school districts in
26 installments upon successful implementation of each phase of a
27 school district's approved proposal. Provided, further, that no
28 school district shall receive more than forty percent of the total
29 community schools grant allocation, and that each individual commu-
30 nity school site shall be limited to a maximum grant of \$500,000.
31 Provided, further, that notwithstanding any provision of law to the
32 contrary, the \$5,500,000 appropriated herein available for a master
33 teachers program shall support the award of stipends of \$15,000 per
34 annum over four years to individual high-performing teachers in
35 math, science and related fields, and of related costs, administered
36 by the state university of New York pursuant to a plan developed in
37 consultation with the commissioner, who shall consult with appropri-
38 ate state organizations representing K-12 public school teachers and
39 approved by the director of the budget, to build a corps of
40 outstanding math, science and related fields teachers in order to
41 improve the quality of instruction at public secondary schools.
42 Such plan for use of funding appropriated herein shall: (i) estab-
43 lish an application process; (ii) guidelines by which applications
44 from eligible teachers shall be evaluated, which shall include, but
45 not be limited to, achievement of a rating of highly effective on
46 the annual professional performance review; and (iii) provide peri-
47 odic opportunities for professional development for successful
48 applicants. Provided, further, that priority shall be given to
49 applicants in regions of the state where a similar program is not
50 otherwise offered. Notwithstanding any provision of law to the
51 contrary, upon approval of the director of the budget, such
52 \$5,500,000 of master teachers program funding may be sub-allocated,
53 interchanged, transferred or otherwise made available to the state
54 university of New York for the sole purpose of administering such
55 program. Nothing herein shall be construed to limit the rights of
56 labor organizations representing teachers to collectively bargain

1 terms and conditions pursuant to article 14 of the civil service
2 law.

3 Provided, further, that notwithstanding any provision of law to the
4 contrary, the \$2,000,000 appropriated herein available for the early
5 college high school program shall support the continuation and
6 expansion of such program pursuant to a plan developed by the
7 commissioner and approved by the director of the budget. Provided,
8 however, that a portion of the payments to early college high school
9 programs awarded funding from this appropriation shall be awarded on
10 a sliding scale based upon the number of college credits earned
11 annually by participating students, consistent with guidelines
12 established by the commissioner. Provided further that, notwith-
13 standing any provision of law to the contrary, higher education
14 partners participating in an early college high schools program, or
15 the entity/entities responsible for setting tuition at the institu-
16 tion, shall be authorized to set a reduced rate of tuition and/or
17 fees, or to waive tuition and/or fees entirely, for students
18 enrolled in such early college high schools program with no
19 reduction in other state, local or other support for such students
20 earning college credit that such higher education partner would
21 otherwise be eligible to receive.

22 Provided further that, notwithstanding any provision of law to the
23 contrary, of the amount appropriated herein, a minimum of
24 \$12,500,000 shall be available for the payment of grant awards made
25 in the 2014-15 school year as follows: \$2,500,000 of pathways in
26 technology early college high school program grants and \$10,000,000
27 of ~~[teacher excellence fund grants]~~ collaborative curriculum devel-
28 opment fund awards; provided further that, notwithstanding any
29 provision of law to the contrary, such \$25,000,000, plus any other
30 amounts so designated in other items of appropriation within the
31 general fund local assistance account office of prekindergarten
32 through grade twelve education program, shall constitute the compet-
33 itive awards amount authorized for the 2013-14 school year by chap-
34 ter 53 of the laws of 2013.

35 Provided further that, notwithstanding any provision of law to the
36 contrary, the \$2,500,000 appropriated herein available for pathways
37 in technology early college high school (P-TECH) program grants
38 shall be awarded pursuant to a plan developed by the commissioner
39 and approved by the director of the budget, provided that such plan
40 shall include but not be limited to (i) assurances that K-12, higher
41 education and private-sector partners commit to the required
42 elements and responsibilities of a P-TECH program, (ii) provisions
43 to ensure regional diversity of grant recipients, and (iii) priority
44 for P-TECH programs serving students in academically challenged
45 school districts; provided further that the commissioner shall make
46 available the request for proposals for such program on or before
47 May fifteenth and the commissioner shall issue awards on or before
48 August fifteenth; and provided further that a portion of the
49 payments to P-TECH programs awarded funding from this appropriation
50 shall be made on a sliding scale based upon the number of college
51 credits earned annually by participating students, consistent with
52 guidelines established by the commissioner. Provided further that,
53 notwithstanding any provision of law to the contrary, higher educa-
54 tion partners participating in a P-TECH program, or the
55 entity/entities responsible for setting tuition at the institution,
56 shall be authorized to set a reduced rate of tuition and/or fees, or

1 to waive tuition and/or fees entirely, for students enrolled in such
2 P-TECH program with no reduction in other state, local or other
3 support for such students earning college credit that such higher
4 education partner would otherwise be eligible to receive.

5 Provided further that, notwithstanding any provision of law to the
6 contrary, the \$10,000,000 appropriated herein available for [~~teacher~~

7 ~~excellence fund grants shall be awarded to eligible school districts~~
8 ~~pursuant to a request for proposals based on a plan developed by the~~
9 ~~commissioner and approved by the director of the budget; provided~~
10 ~~that such plan shall include an application for award of such grants~~
11 ~~to such eligible school districts to provide annual teacher excel-~~
12 ~~lence fund performance awards of up to \$20,000 to eligible teachers~~
13 ~~rated as "highly effective" on the most recent annual professional~~
14 ~~performance review, in accordance with the requirements of section~~
15 ~~3012-c of the education law and the regulations of the commissioner,~~
16 ~~pursuant to such districts' approved applications; provided that in~~
17 ~~making such grants the commissioner shall prioritize school~~
18 ~~districts' applications based on factors including but not limited~~
19 ~~to (i) the extent to which the school district's application would~~
20 ~~recognize and reward such teachers in school buildings with the~~
21 ~~greatest academic need, in difficult to staff subject or certif-~~
22 ~~ication areas and grade levels, and at critical points in a teach-~~
23 ~~er's career in order to encourage highly effective teachers to~~
24 ~~remain in the classroom, and (ii) the quality of the school~~
25 ~~district's application; and provided further that the commissioner~~
26 ~~shall make available the application for such grants on or before~~
27 ~~May fifteenth and the commissioner shall issue preliminary grant~~
28 ~~awards on or before October fifteenth.] collaborative curriculum~~

29 development fund awards shall be allocated in an amount of up to
30 twenty thousand dollars to school districts that have or will under-
31 go curriculum development. On an annual basis, eligible school
32 districts may submit an application to the commissioner, in a form
33 and manner prescribed by the commissioner, to request funding pursu-
34 ant to this subdivision. The commissioner shall make available such
35 application on or before May fifteenth of the preceding school year
36 and the commissioner shall issue preliminary collaborative curric-
37 ulum development fund grant awards on or before October fifteenth of
38 the school year in which the eligible school district shall receive
39 a collaborative curriculum development fund award.

40 Notwithstanding section 40 of the state finance law or any provision
41 of law to the contrary, this appropriation shall lapse on March 31,
42 2016 ... 250,000,000 (re. \$245,192,000)

43 Funds appropriated herein shall be used to provide competitive grants
44 pursuant to a request for proposals, developed by the commissioner
45 and approved by the director of budget, to those school districts
46 that are participating in the race to the top program and/or which
47 demonstrate satisfactory progress, as determined by the commission-
48 er, towards implementation of elements such as high quality student
49 assessments; use of data to improve instruction and student perform-
50 ance and provision of professional development to improve teacher
51 performance; and that those eligible districts also demonstrate the
52 most improved academic achievement gains and student outcomes such
53 as establishing or expanding participation in college level or early
54 college programs; and other appropriate measures of student perform-
55 ance; provided further that in determining the amount of the award
56 to be made from the funds appropriated herein for those school

1 districts identified as making the greatest achievement gains and
2 eligible for such award, the maximum grant award available to each
3 school district shall be based upon the size of the district meas-
4 ured by public school enrollment of the district; and provided
5 further that such amount shall be adjusted based upon measures of
6 district need and provided further that no district receiving a
7 grant may be awarded more than forty percent of the total amount
8 awarded; and provided further that any such funds awarded to a
9 school district shall be used to increase student performance,
10 narrow the achievement gap, and increase academic performance in
11 traditionally underserved student groups.

12 Provided further that, notwithstanding any provision of law to the
13 contrary, in addition to the competitive awards amount as defined in
14 paragraph ee of subdivision 1 of section 3602 of the education law,
15 a minimum of \$37,500,000 shall be available for the payment of grant
16 awards made in the 2013-14 school year, with additional amounts to
17 be made available in the 2014-15 state fiscal year as necessary to
18 continue such awards and make an additional round of awards pursuant
19 to subdivision 6-a of section 3641 of the education law in the
20 2014-15 school year not to exceed the amount awarded in the 2013-14
21 school year pursuant to such subdivision 6-a, and such \$37,500,000
22 shall be made available for \$12,500,000 of pre-kindergarten grants,
23 \$10,000,000 of school-wide extended learning grants, \$7,500,000 of
24 community schools grants, \$5,500,000 for a master teacher program
25 and \$2,000,000 for the early college high school program; provided,
26 however, that no school district shall receive any portion of the
27 funds appropriated herein unless it shall have submitted documenta-
28 tion that has been approved by the commissioner by September 1 of
29 2013 and of each school year in which a payment to such district
30 from this appropriation would otherwise be made demonstrating that
31 it has fully implemented new standards and procedures for conducting
32 annual professional performance reviews of classroom teachers and
33 building principals to determine teacher and principal effective-
34 ness.

35 Provided, further, that notwithstanding any provision of law to the
36 contrary, the \$12,500,000 appropriated herein available for full-day
37 and half-day pre-kindergarten grants shall be awarded, based on a
38 request for proposals developed by the commissioner and approved by
39 the director of the budget, to school districts to establish new
40 full-day and half-day pre-kindergarten placements and/or to convert
41 existing half-day pre-kindergarten placements into full-day place-
42 ments; provided that preference shall be granted for full-day place-
43 ments while ensuring that a portion of grants include half-day
44 placements based on eligible applications; and provided, further,
45 that such grants shall only be used to supplement, not supplant
46 existing pre-kindergarten programs, and provided further, however,
47 that any portion of such \$12,500,000 that is not awarded shall
48 remain available for subsequent awards in the 2013-14 school year or
49 for full-day and half-day pre-kindergarten grants to be awarded in
50 subsequent school years. Provided, further, that such grants from
51 funds appropriated herein shall be awarded based on factors includ-
52 ing, but not limited to, the following: (i) measures of school
53 district need, (ii) measures of the need of students to be served by
54 each of the school districts, (iii) the school district's proposal
55 to target the highest need schools and students, (iv) the extent to
56 which the district's proposal would prioritize funds to maximize the

total number of eligible children in the district served in pre-kindergarten programs, and (v) proposal quality. Provided, however, that full-day and half-day pre-kindergarten grants appropriated herein shall only be available to support programs (i) that provide instruction for at least five hours per school day for full-day pre-kindergarten programs and at least two and one-half hours per school day for half-day pre-kindergarten programs; (ii) that agree to offer instruction consistent with the New York state pre-kindergarten foundation for the common core standards within three years; (iii) that ensure that, to the extent community-based providers are part of such program, such providers meet the requirements of paragraphs d-1 and d-2 of subdivision 12 of section 3602-e of the education law; and (iv) that otherwise comply with all of the same rules and requirements as universal pre-kindergarten programs pursuant to section 3602-e of the education law except as modified herein. Provided, further, that a school district's pre-kindergarten grant shall equal the product of (A) (i) two multiplied by the approved number of new full-day pre-kindergarten placements plus (ii) the approved number of half-day pre-kindergarten placement conversions and new half-day pre-kindergarten placements, and (B) the district's selected aid per pre-kindergarten pupil pursuant to subparagraph i of paragraph b of subdivision 10 of section 3602-e of the education law; provided, however, that no district shall receive a grant in excess of the total actual grant expenditures incurred by the district in the current school year as approved by the commissioner. Provided, further, that as a condition of eligibility for receipt of such funding, a school district shall agree to adopt approved quality indicators within two years, including, but not limited to, valid and reliable measures of environmental quality, the quality of teacher-student interactions and child outcomes, and ensure that any such assessment of child outcomes shall not be used to make high-stakes educational decisions for individual children. Provided, further, that no school district shall receive more than forty percent of the total pre-kindergarten grant allocation.

Provided, further, that notwithstanding any provision of law to the contrary, the \$10,000,000 appropriated herein available for school-wide extended learning grants shall be awarded to school districts or school districts in collaboration with not-for-profit community-based organizations based on responses to a request for proposals for planning and implementation grants that is (i) developed by the commissioner; (ii) approved by the director of the budget; and (iii) issued by the commissioner. Provided, further, that such grants shall be awarded based on factors including, but not limited to, the following: (i) the school district's proposal to target the schools and students with the greatest need, and (ii) proposal quality. Provided, further, that to assess proposal quality in order to award implementation grant funding, the commissioner shall take into account factors including, but not limited to: (i) the extent to which the school district's proposal would maximize the use of the additional learning time through a comprehensive restructuring of the school day and/or year, (ii) the extent to which the proposal would provide additional learning time for students in grades six through eight, and (iii) how the additional learning time would be utilized, including, but not limited to, additional time spent on core academics. Provided, however, that no district shall be eligible to receive a school-wide extended learning grant unless its

1 proposal would increase student learning time by at least 25
2 percent. Provided, further, that a school district's schoolwide
3 extended learning implementation grant shall equal its average daily
4 attendance in the school-wide extended learning program multiplied
5 by the expected cost per pupil of the additional learning time;
6 provided, further, that the expected cost per pupil of the addi-
7 tional learning time shall equal the greater of \$1,500 or (A) the
8 quotient of (i) the school district's approved operating expense,
9 pursuant to paragraph t of subdivision 1 of section 3602 of the
10 education law, for the year prior to the base year, divided by (ii)
11 the district's public school district enrollment, pursuant to
12 subparagraph (2) of paragraph n of such subdivision, for the year
13 prior to the base year, multiplied by (B) 10 percent (0.10), multi-
14 plied by (C) the quotient of (i) the average of the national consum-
15 er price indexes determined by the United States department of labor
16 for the 12-month period preceding January first of the base year,
17 divided by (ii) the average of the national consumer price indexes
18 determined by the United States department of labor for the 12-month
19 period preceding January first of the year two years prior to the
20 base year; provided, however, that in extraordinary cases the
21 commissioner may award a grant that exceeds the per pupil limit
22 described above; provided further, however, that no district shall
23 receive a grant in excess of the total actual grant expenditures
24 incurred by the district in the current school year as approved by
25 the commissioner. Provided, further, that no school district shall
26 receive more than forty percent of the total school-wide extended
27 learning grant allocation.

28 Provided, further, that notwithstanding any provision of law to the
29 contrary, the \$7,500,000 appropriated herein available for community
30 schools grants shall be awarded, based on a request for proposals
31 (i) developed by the state council on children and families in coor-
32 dination with the commissioner, (ii) approved by the director of the
33 budget and (iii) issued by the commissioner, to school districts, or
34 in a city with a population of one million or more an eligible enti-
35 ty, to improve student outcomes through the implementation of commu-
36 nity schools programs that use school buildings as community hubs to
37 deliver co-located or school-linked academic, health, mental health,
38 nutrition, counseling, legal and/or other services to students and
39 their families. In a city with a population of one million or more,
40 eligible entities shall mean the city school district of the city of
41 New York, or not-for-profit organizations, which shall include not-
42 for-profit community-based organizations. An eligible entity that is
43 a not-for-profit may apply for a community school grant provided
44 that it collaborates with the city school district of the city of
45 New York and receives the approval of the chancellor of the city
46 school district of the city of New York. Provided, further, that
47 such grants shall be awarded based on factors including, but not
48 limited to, the following: (i) measures of school district need,
49 (ii) measures of the need of students to be served by each of the
50 school districts, (iii) the school district's proposal to target the
51 highest need schools and students, (iv) the sustainability of the
52 proposed community schools program, and (v) proposal quality.
53 Provided, further, that to assess proposal quality in order to award
54 such funding, the commissioner shall take into account factors
55 including, but not limited to: (i) the extent to which the school
56 district's proposal would provide such community services through

1 partnerships with local governments and non-profit organizations,
2 (ii) the extent to which the proposal would provide for delivery of
3 such services directly in school buildings, (iii) the extent to
4 which the proposal articulates how such services would facilitate
5 measurable improvement in student and family outcomes, (iv) the
6 extent to which the proposal articulates and identifies how existing
7 funding streams and programs would be used to provide such community
8 services, and (v) the extent to which the proposal ensures the safe-
9 ty of all students, staff and community members in school buildings
10 used as community hubs. Provided, however, that community schools
11 grants appropriated herein shall be paid to school districts in
12 installments upon successful implementation of each phase of a
13 school district's approved proposal. Provided, further, that no
14 school district shall receive more than forty percent of the total
15 community schools grant allocation, and that each individual commu-
16 nity school site shall be limited to a maximum grant of \$500,000.
17 Provided, further, that notwithstanding any provision of law to the
18 contrary, the \$5,500,000 appropriated herein available for a master
19 teachers program shall support the award of stipends of \$15,000 per
20 annum over four years to individual high-performing teachers in
21 math, science and related fields, and of related costs, administered
22 by the state university of New York pursuant to a plan developed in
23 consultation with the commissioner, who shall consult with appropri-
24 ate state organizations representing K-12 public school teachers,
25 and approved by the director of the budget, to build a corps of
26 outstanding math, science and related fields teachers in order to
27 improve the quality of instruction at public secondary schools.
28 Such plan for use of funding appropriated herein shall: (i) estab-
29 lish an application process; (ii) guidelines by which applications
30 from eligible teachers shall be evaluated, which shall include, but
31 not be limited to, achievement of a rating of highly effective on
32 the annual professional performance review; and (iii) provide peri-
33 odic opportunities for professional development for successful
34 applicants. Provided, further, that priority shall be given to
35 applicants in regions of the state where a similar program is not
36 otherwise offered. Notwithstanding any provision of law to the
37 contrary, upon approval of the director of the budget, such
38 \$5,500,000 of master teachers program funding may be sub-allocated,
39 interchanged, transferred or otherwise made available to the state
40 university of New York for the sole purpose of administering such
41 program. Nothing herein shall be construed to limit the rights of
42 labor organizations to collectively bargain terms and conditions
43 pursuant to article 14 of the civil service law.
44 Provided, further, that notwithstanding any provision of law to the
45 contrary, the \$2,000,000 appropriated herein available for the early
46 college high school program shall support the continuation and
47 expansion of such program pursuant to a plan developed by the
48 commissioner and approved by the director of the budget. Provided,
49 however, that a portion of the payments to early college high school
50 programs awarded funding from this appropriation shall be awarded on
51 a sliding scale based upon the number of college credits earned
52 annually by participating students, consistent with guidelines
53 established by the commissioner. Provided further that, notwith-
54 standing any provision of law to the contrary, higher education
55 partners participating in an early college high schools program, or
56 the entity/entities responsible for setting tuition at the institu-

tion, shall be authorized to set a reduced rate of tuition and/or fees, or to waive tuition and/or fees entirely, for students enrolled in such early college high schools program with no reduction in other state, local or other support for such students earning college credit that such higher education partner would otherwise be eligible to receive.

Provided further that, notwithstanding any provision of law to the contrary, of the amount appropriated herein, a minimum of \$12,500,000 shall be available for the payment of grant awards made in the 2014-15 school year as follows: \$2,500,000 of pathways in technology early college high school program grants and \$10,000,000 of ~~[teacher excellence fund grants]~~ collaborative curriculum development fund awards; provided further that, notwithstanding any provision of law to the contrary, such \$25,000,000, plus any other amounts so designated in other items of appropriation within the general fund local assistance account office of prekindergarten through grade twelve education program, shall constitute the competitive awards amount authorized for the 2013-14 school year by chapter 53 of the laws of 2013.

Provided further that, notwithstanding any provision of law to the contrary, the \$2,500,000 appropriated herein available for pathways in technology early college high school (P-TECH) program grants shall be awarded pursuant to a plan developed by the commissioner and approved by the director of the budget, provided that such plan shall include but not be limited to (i) assurances that K-12, higher education and private-sector partners commit to the required elements and responsibilities of a P-TECH program, (ii) provisions to ensure regional diversity of grant recipients, and (iii) priority for P-TECH programs serving students in academically challenged school districts; provided further that the commissioner shall make available the request for proposals for such program on or before May fifteenth and the commissioner shall issue awards on or before August fifteenth; and provided further that a portion of the payments to P-TECH programs awarded funding from this appropriation shall be made on a sliding scale based upon the number of college credits earned annually by participating students, consistent with guidelines established by the commissioner. Provided further that, notwithstanding any provision of law to the contrary, higher education partners participating in a P-TECH program, or the entity/entities responsible for setting tuition at the institution, shall be authorized to set a reduced rate of tuition and/or fees, or to waive tuition and/or fees entirely, for students enrolled in such P-TECH program with no reduction in other state, local or other support for such students earning college credit that such higher education partner would otherwise be eligible to receive.

Provided further that, notwithstanding any provision of law to the contrary, the \$10,000,000 appropriated herein available for ~~[teacher excellence fund grants shall be awarded to eligible school districts pursuant to a request for proposals based on a plan developed by the commissioner and approved by the director of the budget; provided that such plan shall include an application for award of such grants to such eligible school districts to provide annual teacher excellence fund performance awards of up to \$20,000 to eligible teachers rated as "highly effective" on the most recent annual professional performance review, in accordance with the requirements of section 3012-c of the education law and the regulations of the commissioner,~~

~~pursuant to such districts' approved applications; provided that in making such grants the commissioner shall prioritize school districts' applications based on factors including but not limited to (i) the extent to which the school district's application would recognize and reward such teachers in school buildings with the greatest academic need, in difficult to staff subject or certification areas and grade levels, and at critical points in a teacher's career in order to encourage highly effective teachers to remain in the classroom, and (ii) the quality of the school district's application; and provided further that the commissioner shall make available the application for such grants on or before May fifteenth and the commissioner shall issue preliminary grant awards on or before October fifteenth.] collaborative curriculum development fund awards shall be allocated in an amount of up to twenty thousand dollars to school districts that have or will undergo curriculum development. On an annual basis, eligible school districts may submit an application to the commissioner, in a form and manner prescribed by the commissioner, to request funding pursuant to this subdivision. The commissioner shall make available such application on or before May fifteenth of the preceding school year and the commissioner shall issue preliminary collaborative curriculum development fund grant awards on or before October fifteenth of the school year in which the eligible school district shall receive a collaborative curriculum development fund award.~~

Notwithstanding section 40 of the state finance law or any provision of law to the contrary, this appropriation shall lapse on March 31, 2016 ... 250,000,000 (re. \$242,290,000)

§ 2. Subdivision 6-c of section 3641 of the education law is REPEALED.

§ 3. Section 3641 of the education law is amended by adding a new subdivision 6-d to read as follows:

6-d. Collaborative curriculum development fund. a. Within the amount appropriated for such purpose, subject to a request for proposals developed by the commissioner and approved by the director of the budget, the commissioner shall award collaborative curriculum development fund grants pursuant to this subdivision to eligible school districts, beginning in the two thousand seventeen--two thousand eighteen school year, to provide awards to school districts that have or will undergo curriculum development. For the purposes of this subdivision, curriculum shall be set forth by the commissioner as defined in regulations.

(1) Collaborative curriculum development fund awards shall be allocated in an amount of up to twenty thousand dollars to school districts that have or will undergo curriculum development.

(2) On an annual basis, eligible school districts may submit an application to the commissioner, in a form and manner prescribed by the commissioner, to request funding pursuant to this subdivision.

(3) The commissioner shall make available such application on or before May fifteenth of the preceding school year and the commissioner shall issue preliminary collaborative curriculum development fund grant awards on or before October fifteenth of the school year in which the eligible school district shall receive a collaborative curriculum development fund award.

(4) Applications submitted by eligible school districts shall include information required by the commissioner including, but not limited to, the extent to which the redevelopment of the school district's curriculum: (i) utilizes the methods to develop new curricula; (ii) differs

1 from previous curricula utilized by the school district; and (iii)
2 relates to state learning standards.

3 (5) The commissioner shall prioritize applications submitted by eligi-
4 ble school districts based on factors including, but not limited to, the
5 factors described in subparagraph four of this paragraph and the quality
6 of the proposal.

7 b. For the purpose of this subdivision, the term "eligible school
8 district" shall mean a common, union free, central, central high school,
9 city, or special act school district.

10 § 4. This act shall take effect immediately.