

597

2009-2010 Regular Sessions

I N S E N A T E

January 9, 2009

Introduced by Sen. MARCELLINO -- 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 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 ASSEM-
BLY, 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 TEN--TWO THOUSAND ELEVEN SCHOOL
9 YEAR AND EVERY SCHOOL YEAR THEREAFTER, THE SCHOOL DISTRICT BUDGET FOR
10 EACH SCHOOL DISTRICT IN THIS STATE SHALL, AT A MINIMUM, PROVIDE A FIXED
11 PERCENTAGE AMOUNT OF SUCH BUDGET THAT SHALL BE DEDICATED AND UTILIZED
12 FOR CLASSROOM EXPENSES WITHIN SUCH SCHOOL DISTRICT, AS FOLLOWS:

13 A. FOR THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR, SUCH
14 FIXED PERCENTAGE AMOUNT SHALL BE SIXTY-FIVE PERCENT OF THE TOTAL SCHOOL
15 DISTRICT BUDGET;

16 B. FOR THE TWO THOUSAND ELEVEN--TWO THOUSAND TWELVE SCHOOL YEAR, SUCH
17 FIXED PERCENTAGE AMOUNT SHALL BE SEVENTY PERCENT OF THE TOTAL SCHOOL
18 DISTRICT BUDGET; AND

19 C. FOR THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN SCHOOL YEAR AND
20 EACH SCHOOL YEAR THEREAFTER, SUCH FIXED PERCENTAGE AMOUNT SHALL BE
21 SEVENTY-FIVE PERCENT OF THE TOTAL SCHOOL DISTRICT BUDGET.

22 3. ANY SCHOOL DISTRICT WHICH PROVIDES LESS THAN THE REQUIRED FIXED
23 PERCENTAGE AMOUNT FOR CLASSROOM EXPENSES SET FORTH IN SUBDIVISION TWO OF
24 THIS SECTION FOR ANY SCHOOL YEAR SHALL INCREASE THAT PORTION OF ITS

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

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1 BUDGET DEDICATED AND UTILIZED FOR CLASSROOM EXPENSES BY A MINIMUM OF TWO
2 PERCENT EACH YEAR UNTIL SUCH SCHOOL DISTRICT IS IN COMPLIANCE WITH THE
3 REQUIREMENTS OF THIS SECTION.
4 4. IF ANY SCHOOL DISTRICT IS UNABLE TO COMPLY WITH THE PROVISIONS OF
5 THIS SECTION FOR ANY SCHOOL YEAR, SUCH SCHOOL DISTRICT MAY APPLY TO THE
6 COMMISSIONER FOR A WAIVER FROM THE PROVISIONS OF THIS SECTION FOR SUCH
7 SCHOOL YEAR. UPON A FINDING BY THE COMMISSIONER THAT SPECIAL CIRCUM-
8 STANCES EXIST THAT JUSTIFY SUCH NONCOMPLIANCE, THE COMMISSIONER SHALL
9 GRANT SUCH WAIVER FOR SUCH SCHOOL YEAR. SUCH WAIVER SHALL BE RENEWABLE
10 ON A YEAR TO YEAR BASIS UPON A FINDING BY THE COMMISSIONER THAT SUCH
11 SPECIAL CIRCUMSTANCES CONTINUE TO EXIST.
12 S 2. This act shall take effect immediately.