S T A T E O F N E W Y O R K

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 1527-a to read as follows:

S 1527-A. SCHOOL BUDGET CLASSROOM EXPENSES. 1. FOR PURPOSES OF THIS SECTION, THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO PROMULGATE RULES AND REGULATIONS TO DEFINE THE TERM "CLASSROOM EXPENSES" AND TO IDENTIFY THOSE EXPENSES AT A SCHOOL DISTRICT WHICH SHALL QUALIFY AS CLASSROOM EXPENSES.

2. BEGINNING WITH THE TWO THOUSAND TEN--TWO THOUSAND ELEVEN SCHOOL YEAR AND EVERY SCHOOL YEAR THEREAFTER, THE SCHOOL DISTRICT BUDGET FOR EACH SCHOOL DISTRICT IN THIS STATE SHALL, AT A MINIMUM, PROVIDE A FIXED PERCENTAGE AMOUNT OF SUCH BUDGET THAT SHALL BE DEDICATED AND UTILIZED FOR CLASSROOM EXPENSES WITHIN SUCH SCHOOL DISTRICT, AS FOLLOWS:

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

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

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

3. ANY SCHOOL DISTRICT WHICH PROVIDES LESS THAN THE REQUIRED FIXED PERCENTAGE AMOUNT FOR CLASSROOM EXPENSES SET FORTH IN SUBDIVISION TWO OF 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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BUDGET DEDICATED AND UTILIZED FOR CLASSROOM EXPENSES BY A MINIMUM OF TWO PERCENT EACH YEAR UNTIL SUCH SCHOOL DISTRICT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION.

4. IF ANY SCHOOL DISTRICT IS UNABLE TO COMPLY WITH THE PROVISIONS OF THIS SECTION FOR ANY SCHOOL YEAR, SUCH SCHOOL DISTRICT MAY APPLY TO THE COMMISSIONER FOR A WAIVER FROM THE PROVISIONS OF THIS SECTION FOR SUCH SCHOOL YEAR. UPON A FINDING BY THE COMMISSIONER THAT SPECIAL CIRCUMSTANCES EXIST THAT JUSTIFY SUCH NONCOMPLIANCE, THE COMMISSIONER SHALL GRANT SUCH WAIVER FOR SUCH SCHOOL YEAR. SUCH WAIVER SHALL BE RENEWABLE ON A YEAR TO YEAR BASIS UPON A FINDING BY THE COMMISSIONER THAT SUCH SPECIAL CIRCUMSTANCES CONTINUE TO EXIST.

S 2. This act shall take effect immediately.