

597

2009-2010 Regular Sessions

I N   S E N A T E

January 9, 2009

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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.