

7514

2013-2014 Regular Sessions

I N   A S S E M B L Y

May 22, 2013

---

Introduced by M. of A. JAFFEE, ZEBROWSKI -- read once and referred to  
the Committee on Education

AN ACT authorizing the East Ramapo central school district to receive  
certain apportionments on an accelerated basis

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

1     Section 1. In order to avoid endangering the fiscal stability of the  
2     East Ramapo central school district, certain apportionments payable to  
3     the East Ramapo central school district shall be paid on an accelerated  
4     schedule as follows:  
5     a. (1) Notwithstanding any other provisions of law, for aid payable in  
6     the school years 2013--2014 through 2042--2043 upon application to the  
7     commissioner of education submitted not sooner than the second Monday in  
8     June of the school year in which such aid is payable and not later than  
9     the Friday following the third Monday in June of the school year in  
10    which such aid is payable, or ten days after the effective date of this  
11    act, whichever shall be later, the East Ramapo central school district  
12    shall be eligible to receive an apportionment pursuant to this act in an  
13    amount equal to the product of \$3,500,000 and the quotient of the posi-  
14    tive difference of thirty minus the number of school years elapsed since  
15    the 2013--2014 school year divided by thirty. Such application shall  
16    include a detailed plan demonstrating how such apportionment shall be  
17    used by the East Ramapo central school district in accordance with para-  
18    graph 2 of this subdivision.  
19    (2) Funds apportioned pursuant to this subdivision shall be used for  
20    services and expenses of the East Ramapo central school district and  
21    shall be applied exclusively to support of: instructional services,  
22    including teacher salaries; guidance services, including guidance coun-  
23    selor salaries; health services, including nurse salaries; security  
24    services, including security guard salaries; board of cooperative educa-  
25    tion services expenses; co-curricular activities, including instruc-

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

LBD10477-05-3

1 tional salaries and contractual services; intra-mural activities,  
2 including instructional salaries; and interscholastic athletics, includ-  
3 ing instructional salaries, contractual expenses, security and transpor-  
4 tation.

5 b. The claim for an apportionment to be paid to the East Ramapo  
6 central school district pursuant to subdivision a of this section shall  
7 be submitted to the commissioner of education on a form prescribed for  
8 such purpose, and shall be payable upon determination by such commis-  
9 sioner that the form has been submitted as prescribed and that the  
10 school district has complied with the reporting requirements of this  
11 act, including submission by such district of a detailed plan demon-  
12 strating how such apportionment shall be used in accordance with para-  
13 graph 2 of subdivision a of this section. For each school year in which  
14 application is made pursuant to subdivision a of this section, such  
15 approved amount shall be payable on or before June thirtieth of such  
16 school year upon the audit and warrant of the state comptroller on  
17 vouchers certified or approved by the commissioner of education in the  
18 manner prescribed by law from moneys in the state lottery fund appropri-  
19 ated for general support of public schools and from the general fund to  
20 the extent that the amount paid to the East Ramapo central school  
21 district pursuant to this subdivision and subdivision a of this section  
22 exceeds the amount of the lottery apportionment, if any, due such school  
23 district pursuant to subparagraph 2 of paragraph a of subdivision 1 of  
24 section 3609-a of the education law on or before September first of such  
25 school year.

26 c. Notwithstanding the provisions of section 3609-a of the education  
27 law, an amount equal to the amount paid to the East Ramapo central  
28 school district during the base year pursuant to subdivisions a and b of  
29 this section shall first be deducted from payments due during the  
30 current school year pursuant to subparagraphs 1, 2, 3, 4 and 5 of para-  
31 graph a of subdivision 1 of section 3609-a of the education law in the  
32 following order: the lottery apportionment payable pursuant to subpara-  
33 graph 2 of such paragraph followed by the fixed fall payments payable  
34 pursuant to subparagraph 4 of such paragraph, and any remainder to be  
35 deducted from the individualized payments due to the district pursuant  
36 to paragraph b of such subdivision shall be deducted on a chronological  
37 basis starting with the earliest payment due the district.

38 d. Notwithstanding any other provisions of law, the sum of payments  
39 made to the East Ramapo central school district during the base year  
40 pursuant to subdivisions a and b of this section plus payments made to  
41 such school district during the current year pursuant to section 3609-a  
42 of the education law shall be deemed to truly represent all aids paid to  
43 such school district during the current school year pursuant to such  
44 section 3609-a of the education law for the purposes of computing any  
45 adjustments to such aids that may occur in a subsequent school year.

46 e. (1) On or before the first day of each month beginning in July 2014  
47 and ending in June 2043, the chief fiscal officer and the superintendent  
48 of schools of the East Ramapo central school district shall prepare and  
49 submit to the board of education of the school distract a report of the  
50 fiscal condition of the school district, including but not limited to  
51 the most current available data on fund balances on funds maintained by  
52 the school district and the district's use of the apportionments  
53 provided pursuant to subdivisions a and b of this section.

54 (2) Such monthly report shall be in a format prescribed by the commis-  
55 sioner of education. The board of education shall either reject and  
56 return the report to the chief fiscal officer and the superintendent of

1 schools for appropriate revisions and resubmittal or shall approve the  
2 report and submit copies to the commissioner of education and the state  
3 comptroller of such approved report as submitted or resubmitted.

4 (3) In the 2013--2014 through 2042--2043 school years, the chief  
5 fiscal officer of the East Ramapo central school district shall monitor  
6 all budgets and for each budget, shall prepare a quarterly report of  
7 summarized budget data depicting overall trends of actual revenues and  
8 budget expenditures for the entire budget as well as individual line  
9 items. Such report shall compare revenue estimates and appropriations as  
10 set forth in such budget with the actual revenues and expenditures made  
11 to date. All quarterly reports shall be accompanied by a recommendation  
12 from the superintendent of schools or chief fiscal officer to the board  
13 of education setting forth any remedial actions necessary to resolve any  
14 unfavorable budget variance including the overestimation of revenue and  
15 underestimation of appropriations. The chief fiscal officer shall also  
16 prepare, as part of such report, a quarterly trial balance of general  
17 ledger accounts in accordance with generally accepted accounting princi-  
18 ples as prescribed by the state comptroller. All reports shall be  
19 completed within sixty days after the end of each quarter and shall be  
20 submitted to the chief fiscal officer and the board of education of the  
21 East Ramapo central school district, the state division of the budget,  
22 the office of the state comptroller, the commissioner of education, the  
23 chair of the assembly ways and means committee and the chair of the  
24 senate finance committee.

25 S 2. a. Before the expenditure of funds received pursuant to the  
26 apportionment under section one of this act, the superintendent of such  
27 district shall appoint a temporary district-based advisory team to  
28 develop a comprehensive expenditure plan for such funds. The district-  
29 based advisory team shall consist of the superintendent of schools of  
30 the East Ramapo central school district or his or her designee, a member  
31 of the school board of such district, a teacher employed in a public  
32 school selected by the bargaining unit representing teachers in such  
33 district, an administrator employed in a public school selected by the  
34 bargaining unit representing administrators in such district, and a  
35 parent of a student attending a public school within such district  
36 selected by the East Ramapo parent teachers association council.

37 b. The district-based advisory team shall collaboratively develop  
38 educational goals to be achieved through expenditure of funds provided  
39 pursuant to section one of this act. Such goals shall conform with  
40 requirements pertaining to students with disabilities pursuant to appli-  
41 cable federal and state laws, including but not limited to ensuring  
42 students receive education in the least restricted environment. Follow-  
43 ing adoption of the educational goals, the district-based advisory team  
44 shall develop a comprehensive expenditure plan aligned with such goals.

45 c. The district-based advisory team shall, in conjunction with the  
46 board of education, hold at least one public forum within the district  
47 for the purpose of reporting on the contents of the comprehensive  
48 expenditure plan developed pursuant to subdivision b of this section.  
49 The superintendent of schools of the East Ramapo central school district  
50 shall ensure that notice for the public forum or forums is posted in a  
51 manner to maximize the participation of parents, students and school  
52 personnel.

53 d. Following the forum or forums held pursuant to subdivision c of  
54 this section, but prior to voting on the proposed comprehensive expendi-  
55 ture plan, the superintendent of schools of the East Ramapo central  
56 school district shall publicly report to the board of education of such

1 district an assessment of all public comments concerning the proposed  
2 comprehensive expenditure plan. Such assessment shall include: (1) a  
3 summary and analysis of the issues raised and significant alternatives  
4 suggested; (2) a statement of the reasons why significant alternatives  
5 were not incorporated into the proposed expenditure plan; and (3) a  
6 description of any changes made to the proposed expenditure plan as a  
7 result of public comments received.  
8 e. Following receipt of the assessment by the superintendent of  
9 schools of the East Ramapo central school district, the board of educa-  
10 tion shall adopt a comprehensive expenditure plan only after the  
11 district-based advisory team has certified that such plan is sufficient-  
12 ly aligned with the educational goals developed pursuant to subdivision  
13 b of this section.  
14 S 3. This act shall take effect immediately.