

S. 6356--A

A. 8556--A

S E N A T E - A S S E M B L Y

January 21, 2014

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IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to contracts for excellence, calculation of the gap elimination restoration amount, apportionment of school aid, teachers of tomorrow teacher recruitment and retention program, school district reorganizations and real property tax rates, transportation after 4 p.m., to establish a teacher excellence fund, duties and waivers of school districts with children with handicapping conditions, to authorize the commissioner of education to establish regional tuition rates for approved special education itinerant services, to authorize reimbursement for approved special education itinerant services based on actual attendance, to authorize New York city to establish local tuition rates for approved special education itinerant services; to amend chapter 756 of the laws of 1992 relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to apportionment and reimbursement; and in relation to extending the expiration of certain provisions; to amend chapter 169 of the laws of 1994 relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets; to amend chapter 82 of the laws of 1995, amending the education law and certain other laws relating to state aid to school districts and the appropriation of funds for the support of government; to amend the education law, in relation to the definition of "school district basic contribution"; to amend chapter 147 of the laws of 2001 amending the education law relating to conditional appointment of school district, charter school or BOCES employees; to amend chapter 425 of the laws of 2002 amending the education law relating to the provision of supplemental educational services, attendance at a safe public school and

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

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the suspension of pupils who bring a firearm to or possess a firearm at a school; to amend chapter 101 of the laws of 2003 amending the education law relating to implementation of the No Child Left Behind Act of 2001, in relation to extending the expiration of certain provisions of such chapters; to provide special apportionment for school bus driver training; to provide special apportionment for salary expenses; to provide special apportionment for public pension accruals; to provide special apportionment for salary expenses; in relation to suballocation of certain education department accruals; in relation to the support of public libraries; and providing for the repeal of certain provisions upon expiration thereof (Part A); authorizing the creation of a state debt in the amount of two billion dollars, in relation to creating the smart schools bond act of 2014 for the purposes of funding capital projects to provide learning technology equipment or facilities, enhanced internet connectivity for schools and communities, and educational facilities to accommodate pre-kindergarten programs; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2014 (Part B); to amend the education law and the state finance law, in relation to the implementation of the smart schools bond act of 2014 (Part C); to amend the education law, in relation to the nurse practitioners modernization act (Part D); to amend the education law and the executive law, in relation to harassment, bullying and discrimination in schools (Part E); to amend the executive law, in relation to unlawful discriminatory practices by educational institutions (Part F); to amend the education law, in relation to creating the science, technology, engineering and mathematics incentive program (Part G); to amend chapter 57 of the laws of 2005 amending the labor law and other laws implementing the state fiscal plan for the 2005-2006 state fiscal year, relating to the New York state higher education capital matching grant program for independent colleges, in relation to the New York state higher education matching grant program for independent colleges and the effectiveness thereof (Part H); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and disabled persons living in the community (Part I); to amend the social services law, in relation to public assistance restrictions (Part J); to utilize reserves in the project pool insurance account of the mortgage insurance fund for various housing purposes (Part K); and to amend the education law, in relation to educational programs in juvenile justice programs operated by the office of children and family services (Subpart A); and to amend the social services law, in relation to a deadline for the close to home initiative (Subpart B) (Part L)

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

1 Section 1. This act enacts into law major components of legislation  
2 which are necessary to implement the state fiscal plan for the 2014-2015  
3 state fiscal year. Each component is wholly contained within a Part  
4 identified as Parts A through L. The effective date for each particular  
5 provision contained within such Part is set forth in the last section of  
6 such Part. Any provision in any section contained within a Part, includ-  
7 ing the effective date of the Part, which makes a reference to a section

1 "of this act", when used in connection with that particular component,  
2 shall be deemed to mean and refer to the corresponding section of the  
3 Part in which it is found. Section three of this act sets forth the  
4 general effective date of this act.

5

## PART A

6 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-  
7 tion law, as amended by section 2 of part A of chapter 57 of the laws of  
8 2013, is amended to read as follows:

9 e. Notwithstanding paragraphs a and b of this subdivision, a school  
10 district that submitted a contract for excellence for the two thousand  
11 eight--two thousand nine school year shall submit a contract for excel-  
12 lence for the two thousand nine--two thousand ten school year in  
13 conformity with the requirements of subparagraph (vi) of paragraph a of  
14 subdivision two of this section unless all schools in the district are  
15 identified as in good standing and provided further that, a school  
16 district that submitted a contract for excellence for the two thousand  
17 nine--two thousand ten school year, unless all schools in the district  
18 are identified as in good standing, shall submit a contract for excel-  
19 lence for the two thousand eleven--two thousand twelve school year which  
20 shall, notwithstanding the requirements of subparagraph (vi) of para-  
21 graph a of subdivision two of this section, provide for the expenditure  
22 of an amount which shall be not less than the product of the amount  
23 approved by the commissioner in the contract for excellence for the two  
24 thousand nine--two thousand ten school year, multiplied by the  
25 district's gap elimination adjustment percentage and provided further  
26 that, a school district that submitted a contract for excellence for the  
27 two thousand eleven--two thousand twelve school year, unless all schools  
28 in the district are identified as in good standing, shall submit a  
29 contract for excellence for the two thousand twelve--two thousand thir-  
30 teen school year which shall, notwithstanding the requirements of  
31 subparagraph (vi) of paragraph a of subdivision two of this section,  
32 provide for the expenditure of an amount which shall be not less than  
33 the amount approved by the commissioner in the contract for excellence  
34 for the two thousand eleven--two thousand twelve school year and  
35 provided further that, a school district that submitted a contract for  
36 excellence for the two thousand twelve--two thousand thirteen school  
37 year, unless all schools in the district are identified as in good  
38 standing, shall submit a contract for excellence for the two thousand  
39 thirteen--two thousand fourteen school year which shall, notwithstanding  
40 the requirements of subparagraph (vi) of paragraph a of subdivision two  
41 of this section, provide for the expenditure of an amount which shall be  
42 not less than the amount approved by the commissioner in the contract  
43 for excellence for the two thousand twelve--two thousand thirteen school  
44 year AND PROVIDED FURTHER THAT, A SCHOOL DISTRICT THAT SUBMITTED A  
45 CONTRACT FOR EXCELLENCE FOR THE TWO THOUSAND THIRTEEN--TWO THOUSAND  
46 FOURTEEN SCHOOL YEAR, UNLESS ALL SCHOOLS IN THE DISTRICT ARE IDENTIFIED  
47 AS IN GOOD STANDING, SHALL SUBMIT A CONTRACT FOR EXCELLENCE FOR THE TWO  
48 THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEAR WHICH SHALL,  
49 NOTWITHSTANDING THE REQUIREMENTS OF SUBPARAGRAPH (VI) OF PARAGRAPH A OF  
50 SUBDIVISION TWO OF THIS SECTION, PROVIDE FOR THE EXPENDITURE OF AN  
51 AMOUNT WHICH SHALL BE NOT LESS THAN THE AMOUNT APPROVED BY THE COMMIS-  
52 SIONER IN THE CONTRACT FOR EXCELLENCE FOR THE TWO THOUSAND THIRTEEN--TWO  
53 THOUSAND FOURTEEN SCHOOL YEAR. For purposes of this paragraph, the "gap  
54 elimination adjustment percentage" shall be calculated as the sum of one

1 minus the quotient of the sum of the school district's net gap elimi-  
2 nation adjustment for two thousand ten--two thousand eleven computed  
3 pursuant to chapter fifty-three of the laws of two thousand ten, making  
4 appropriations for the support of government, plus the school district's  
5 gap elimination adjustment for two thousand eleven--two thousand twelve  
6 as computed pursuant to chapter fifty-three of the laws of two thousand  
7 eleven, making appropriations for the support of the local assistance  
8 budget, including support for general support for public schools,  
9 divided by the total aid for adjustment computed pursuant to chapter  
10 fifty-three of the laws of two thousand eleven, making appropriations  
11 for the local assistance budget, including support for general support  
12 for public schools. Provided, further, that such amount shall be  
13 expended to support and maintain allowable programs and activities  
14 approved in the two thousand nine--two thousand ten school year or to  
15 support new or expanded allowable programs and activities in the current  
16 year.

17 S 2. Paragraph (f) of subdivision 17 of section 3602 of the education  
18 law, as added by section 12 of part A of chapter 57 of the laws of 2013,  
19 is amended and a new paragraph (g) is added to read as follows:

20 (f) The gap elimination adjustment restoration amount for the two  
21 thousand fourteen--two thousand fifteen school year [and thereafter  
22 shall equal the product of the gap elimination percentage for such  
23 district and the gap elimination adjustment restoration allocation  
24 established pursuant to subdivision eighteen of this section.] FOR A  
25 SCHOOL DISTRICT SHALL BE COMPUTED BASED ON DATA ON FILE WITH THE COMMIS-  
26 SIONER AND IN THE DATABASE USED BY THE COMMISSIONER TO PRODUCE AN  
27 UPDATED ELECTRONIC DATA FILE IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST  
28 SUBMITTED FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN STATE  
29 FISCAL YEAR AND SHALL EQUAL THE GREATER OF:

30 (I) THE PRODUCT OF TWO AND FIVE-TENTHS PERCENT (0.025) MULTIPLIED BY  
31 THE GAP ELIMINATION ADJUSTMENT FOR THE BASE YEAR OR;

32 (II) THE POSITIVE DIFFERENCE OF (A) THE PRODUCT OF TWENTY-TWO PERCENT  
33 (0.22) MULTIPLIED BY THE ABSOLUTE VALUE OF THE AMOUNT SET FORTH FOR SUCH  
34 SCHOOL DISTRICT AS "GAP ELIMINATION ADJUSTMENT" UNDER THE HEADING  
35 "2011-12 ESTIMATED AIDS" IN THE SCHOOL AID COMPUTER LISTING PRODUCED BY  
36 THE COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST SUBMITTED  
37 FOR THE TWO THOUSAND ELEVEN--TWO THOUSAND TWELVE STATE FISCAL YEAR AND  
38 ENTITLED "BT111-2" MINUS (B) THE POSITIVE DIFFERENCE OF THE ABSOLUTE  
39 VALUE OF THE AMOUNT SET FORTH FOR SUCH SCHOOL DISTRICT AS "GAP ELIMI-  
40 NATION ADJUSTMENT" UNDER THE HEADING "2011-12 ESTIMATED AIDS" IN THE  
41 SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF  
42 THE EXECUTIVE BUDGET REQUEST SUBMITTED FOR THE TWO THOUSAND ELEVEN--TWO  
43 THOUSAND TWELVE STATE FISCAL YEAR AND ENTITLED "BT111-2" MINUS THE GAP  
44 ELIMINATION ADJUSTMENT FOR THE BASE YEAR OR;

45 (III) THE SUM OF (A) THE GREATER OF:

46 (A) THE PRODUCT OF (1) THE PRODUCT OF TWO HUNDRED AND SEVENTY-TWO  
47 DOLLARS (\$272.00) MULTIPLIED BY THE EXTRAORDINARY NEEDS PERCENT COMPUTED  
48 TO TWO DECIMAL PLACES WITHOUT ROUNDING MULTIPLIED BY (2) THE PRODUCT OF  
49 THE STATE SHARING RATIO COMPUTED PURSUANT TO PARAGRAPH G OF SUBDIVISION  
50 THREE OF THIS SECTION MULTIPLIED BY (3) THE REGIONAL COST INDEX PURSUANT  
51 TO SUBDIVISION FOUR OF THIS SECTION MULTIPLIED BY (4) THE BASE YEAR  
52 PUBLIC SCHOOL DISTRICT ENROLLMENT AS COMPUTED PURSUANT TO SUBPARAGRAPH  
53 TWO OF PARAGRAPH N OF SUBDIVISION ONE OF THIS SECTION, OR;

54 (B) THE PRODUCT OF THREE HUNDRED SIXTY-THREE DOLLARS AND FIFTY CENTS  
55 (\$363.50) MULTIPLIED BY (1) THE POSITIVE DIFFERENCE, IF ANY, OF ONE  
56 MINUS THE PRODUCT OF ONE AND THIRTY-SEVEN ONE-HUNDREDTHS (1.37) MULTI-

1 PLIED BY THE COMBINED WEALTH RATIO COMPUTED PURSUANT TO SUBPARAGRAPH ONE  
2 OF PARAGRAPH C OF SUBDIVISION THREE OF THIS SECTION BUT NOT GREATER THAN  
3 NINE-TENTHS (0.9) MULTIPLIED BY (2) THE BASE YEAR PUBLIC SCHOOL DISTRICT  
4 ENROLLMENT AS COMPUTED PURSUANT TO SUBPARAGRAPH TWO OF PARAGRAPH N OF  
5 SUBDIVISION ONE OF THIS SECTION, OR

6 (C) THE PRODUCT, COMPUTED TO THE NEAREST WHOLE NUMBER WITHOUT ROUND-  
7 ING, OF: (1) THE PRODUCT OF THE QUOTIENT OF THE TAX EFFORT RATIO AS  
8 DEFINED IN SUBDIVISION SIXTEEN OF THIS SECTION DIVIDED BY THREE AND ONE  
9 HUNDRED SEVENTY-SIX THOUSANDTHS PERCENT (0.03176) MULTIPLIED BY THE  
10 POSITIVE DIFFERENCE, IF ANY, OF ONE MINUS THE ALTERNATE PUPIL WEALTH  
11 RATIO COMPUTED PURSUANT TO PARAGRAPH B OF SUBDIVISION THREE OF THIS  
12 SECTION BUT NOT GREATER THAN NINE-TENTHS (0.9) COMPUTED TO THREE DECI-  
13 MALS WITHOUT ROUNDING, MULTIPLIED BY (2) TWO HUNDRED FIFTY-THREE DOLLARS  
14 AND FIFTY CENTS (\$253.50) WITH THE RESULT COMPUTED TO TWO DECIMALS WITH-  
15 OUT ROUNDING MULTIPLIED BY (3) THE BASE YEAR PUBLIC SCHOOL DISTRICT  
16 ENROLLMENT AS COMPUTED PURSUANT TO SUBPARAGRAPH TWO OF PARAGRAPH N OF  
17 SUBDIVISION ONE OF THIS SECTION; AND

18 (B) THE PRODUCT OF (A) THE POSITIVE DIFFERENCE, IF ANY, OF THE BASE  
19 YEAR PUBLIC SCHOOL DISTRICT ENROLLMENT AS COMPUTED PURSUANT TO SUBPARA-  
20 GRAPH TWO OF PARAGRAPH N OF SUBDIVISION ONE OF THIS SECTION MINUS THE  
21 PUBLIC SCHOOL DISTRICT ENROLLMENT FOR THE YEAR FIVE YEARS PRIOR TO THE  
22 BASE YEAR, AS COMPUTED PURSUANT TO SUBPARAGRAPH TWO OF PARAGRAPH N OF  
23 SUBDIVISION ONE OF THIS SECTION MULTIPLIED BY (B) ONE THOUSAND EIGHT  
24 HUNDRED FIFTEEN DOLLARS (\$1,815) MULTIPLIED BY (C) THE STATE SHARING  
25 RATIO COMPUTED PURSUANT TO PARAGRAPH G OF SUBDIVISION THREE OF THIS  
26 SECTION;

27 (IV) PROVIDED FURTHER, NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH  
28 TO THE CONTRARY, THAT A DISTRICT'S GAP ELIMINATION ADJUSTMENT RESTORA-  
29 TION FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEAR  
30 SHALL NOT EXCEED THE PRODUCT OF FORTY-FIVE PERCENT (0.45) AND THE GAP  
31 ELIMINATION ADJUSTMENT FOR THE BASE YEAR FOR THE DISTRICT.

32 (G) THE GAP ELIMINATION ADJUSTMENT RESTORATION AMOUNT FOR THE TWO  
33 THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR AND THEREAFTER SHALL  
34 EQUAL THE PRODUCT OF THE GAP ELIMINATION PERCENTAGE FOR SUCH DISTRICT  
35 AND THE GAP ELIMINATION ADJUSTMENT RESTORATION ALLOCATION ESTABLISHED  
36 PURSUANT TO SUBDIVISION EIGHTEEN OF THIS SECTION.

37 S 3. Paragraph a of subdivision 5 of section 3604 of the education  
38 law, as amended by chapter 161 of the laws of 2005, is amended to read  
39 as follows:

40 a. State aid adjustments. All errors or omissions in the apportionment  
41 shall be corrected by the commissioner. Whenever a school district has  
42 been apportioned less money than that to which it is entitled, the  
43 commissioner may allot to such district the balance to which it is enti-  
44 tled. Whenever a school district has been apportioned more money than  
45 that to which it is entitled, the commissioner may, by an order, direct  
46 such moneys to be paid back to the state to be credited to the general  
47 fund local assistance account for state aid to the schools, or may  
48 deduct such amount from the next apportionment to be made to said  
49 district, provided, however, that, upon notification of excess payments  
50 of aid for which a recovery must be made by the state through deduction  
51 of future aid payments, a school district may request that such excess  
52 payments be recovered by deducting such excess payments from the  
53 payments due to such school district and payable in the month of June in  
54 (i) the school year in which such notification was received and (ii) the  
55 two succeeding school years, provided further that there shall be no  
56 interest penalty assessed against such district or collected by the

1 state. Such request shall be made to the commissioner in such form as  
2 the commissioner shall prescribe, and shall be based on documentation  
3 that the total amount to be recovered is in excess of one percent of the  
4 district's total general fund expenditures for the preceding school  
5 year. The amount to be deducted in the first year shall be the greater  
6 of (i) the sum of the amount of such excess payments that is recognized  
7 as a liability due to other governments by the district for the preced-  
8 ing school year and the positive remainder of the district's unreserved  
9 fund balance at the close of the preceding school year less the product  
10 of the district's total general fund expenditures for the preceding  
11 school year multiplied by five percent, or (ii) one-third of such excess  
12 payments. The amount to be recovered in the second year shall equal the  
13 lesser of the remaining amount of such excess payments to be recovered  
14 or one-third of such excess payments, and the remaining amount of such  
15 excess payments shall be recovered in the third year. Provided further  
16 that, notwithstanding any other provisions of this subdivision, any  
17 pending payment of moneys due to such district as a prior year adjust-  
18 ment payable pursuant to paragraph c of this subdivision for aid claims  
19 that had been previously paid as current year aid payments in excess of  
20 the amount to which the district is entitled and for which recovery of  
21 excess payments is to be made pursuant to this paragraph, shall be  
22 reduced at the time of actual payment by any remaining unrecovered  
23 balance of such excess payments, and the remaining scheduled deductions  
24 of such excess payments pursuant to this paragraph shall be reduced by  
25 the commissioner to reflect the amount so recovered. The commissioner  
26 shall certify no payment to a school district based on a claim submitted  
27 later than three years after the close of the school year in which such  
28 payment was first to be made. For claims for which payment is first to  
29 be made in the nineteen hundred ninety-six--ninety-seven school year,  
30 the commissioner shall certify no payment to a school district based on  
31 a claim submitted later than two years after the close of such school  
32 year. For claims for which payment is first to be made [in the nineteen  
33 hundred ninety-seven--ninety-eight] PRIOR TO THE TWO THOUSAND THIRTEEN-  
34 -TWO THOUSAND FOURTEEN school year [and thereafter], the commissioner  
35 shall certify no payment to a school district based on a claim submitted  
36 later than one year after the close of such school year. FURTHER  
37 PROVIDED THAT FOR ANY APPORTIONMENTS PROVIDED PURSUANT TO SECTIONS SEVEN  
38 HUNDRED ONE, SEVEN HUNDRED ELEVEN, SEVEN HUNDRED FIFTY-ONE, SEVEN  
39 HUNDRED FIFTY-THREE, NINETEEN HUNDRED FIFTY, THIRTY-SIX HUNDRED TWO,  
40 THIRTY-SIX HUNDRED TWO-B, THIRTY-SIX HUNDRED TWO-C, THIRTY-SIX HUNDRED  
41 TWO-E, THIRTY-SIX HUNDRED TWELVE AND FORTY-FOUR HUNDRED FIVE OF THIS  
42 CHAPTER FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN AND PRIOR  
43 SCHOOL YEARS, THE COMMISSIONER SHALL CERTIFY NO PAYMENT TO A SCHOOL  
44 DISTRICT, OTHER THAN PAYMENTS PURSUANT TO SUBDIVISIONS SIX-A, ELEVEN,  
45 THIRTEEN AND FIFTEEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS PART, IN  
46 EXCESS OF THE PAYMENT COMPUTED BASED ON AN ELECTRONIC DATA FILE USED TO  
47 PRODUCE THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN  
48 SUPPORT OF THE EXECUTIVE BUDGET REQUEST SUBMITTED FOR THE TWO THOUSAND  
49 FOURTEEN--TWO THOUSAND FIFTEEN STATE FISCAL YEAR AND ENTITLED "BT141-5",  
50 AND FURTHER PROVIDED THAT FOR ANY APPORTIONMENTS PROVIDED PURSUANT TO  
51 SECTIONS SEVEN HUNDRED ONE, SEVEN HUNDRED ELEVEN, SEVEN HUNDRED  
52 FIFTY-ONE, SEVEN HUNDRED FIFTY-THREE, NINETEEN HUNDRED FIFTY, THIRTY-SIX  
53 HUNDRED TWO, THIRTY-SIX HUNDRED TWO-B, THIRTY-SIX HUNDRED TWO-C, THIR-  
54 TY-SIX HUNDRED TWO-E, THIRTY-SIX HUNDRED TWELVE AND FORTY-FOUR HUNDRED  
55 FIVE OF THIS CHAPTER FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN  
56 SCHOOL YEAR AND THEREAFTER, THE COMMISSIONER SHALL CERTIFY NO PAYMENT TO

1 A SCHOOL DISTRICT, OTHER THAN PAYMENTS PURSUANT TO SUBDIVISIONS SIX-A,  
2 ELEVEN, THIRTEEN AND FIFTEEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS  
3 PART, IN EXCESS OF THE PAYMENT COMPUTED BASED ON AN ELECTRONIC DATA FILE  
4 USED TO PRODUCE THE SCHOOL AID COMPUTER LISTING PRODUCED BY THE COMMIS-  
5 SIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST SUBMITTED FOR THE  
6 STATE FISCAL YEAR IN WHICH THE SCHOOL YEAR COMMENCES. Provided, however,  
7 no payments shall be barred or reduced where such payment is required as  
8 a result of a final audit of the state. It is further provided that,  
9 until June thirtieth, nineteen hundred ninety-six, the commissioner may  
10 grant a waiver from the provisions of this section for any school  
11 district if it is in the best educational interests of the district  
12 pursuant to guidelines developed by the commissioner and approved by the  
13 director of the budget.

14 S 4. The opening paragraph of section 3609-a of the education law, as  
15 amended by section 14 of part A of chapter 57 of the laws of 2013, is  
16 amended to read as follows:

17 For aid payable in the two thousand seven--two thousand eight school  
18 year [and thereafter] THROUGH THE TWO THOUSAND THIRTEEN--TWO THOUSAND  
19 FOURTEEN SCHOOL YEAR, "moneys apportioned" shall mean the lesser of (i)  
20 the sum of one hundred percent of the respective amount set forth for  
21 each school district as payable pursuant to this section in the school  
22 aid computer listing for the current year produced by the commissioner  
23 in support of the budget which includes the appropriation for the gener-  
24 al support for public schools for the prescribed payments and individ-  
25 ualized payments due prior to April first for the current year plus the  
26 apportionment payable during the current school year pursuant to subdivi-  
27 sion six-a and subdivision fifteen of section thirty-six hundred two  
28 of this part minus any reductions to current year aids pursuant to  
29 subdivision seven of section thirty-six hundred four of this part or any  
30 deduction from apportionment payable pursuant to this chapter for  
31 collection of a school district basic contribution as defined in subdivi-  
32 sion eight of section forty-four hundred one of this chapter, less any  
33 grants provided pursuant to subparagraph two-a of paragraph b of subdivi-  
34 sion four of section ninety-two-c of the state finance law, less any  
35 grants provided pursuant to subdivision twelve of section thirty-six  
36 hundred forty-one of this article, or (ii) the apportionment calculated  
37 by the commissioner based on data on file at the time the payment is  
38 processed; provided however, that for the purposes of any payments made  
39 pursuant to this section prior to the first business day of June of the  
40 current year, moneys apportioned shall not include any aids payable  
41 pursuant to subdivisions six and fourteen, if applicable, of section  
42 thirty-six hundred two of this part as current year aid for debt service  
43 on bond anticipation notes and/or bonds first issued in the current year  
44 or any aids payable for full-day kindergarten for the current year  
45 pursuant to subdivision nine of section thirty-six hundred two of this  
46 part. The definitions of "base year" and "current year" as set forth in  
47 subdivision one of section thirty-six hundred two of this part shall  
48 apply to this section. For aid payable in the two thousand thirteen--two  
49 thousand fourteen school year, reference to such "school aid computer  
50 listing for the current year" shall mean the printouts entitled  
51 "SA131-4". FOR AID PAYABLE IN THE TWO THOUSAND FOURTEEN--TWO THOUSAND  
52 FIFTEEN SCHOOL YEAR AND THEREAFTER, "MONEYS APPORTIONED" SHALL MEAN THE  
53 LESSER OF: (I) THE SUM OF ONE HUNDRED PERCENT OF THE RESPECTIVE AMOUNT  
54 SET FORTH FOR EACH SCHOOL DISTRICT AS PAYABLE PURSUANT TO THIS SECTION  
55 IN THE SCHOOL AID COMPUTER LISTING FOR THE CURRENT YEAR PRODUCED BY THE  
56 COMMISSIONER IN SUPPORT OF THE EXECUTIVE BUDGET REQUEST WHICH INCLUDES

1 THE APPROPRIATION FOR THE GENERAL SUPPORT FOR PUBLIC SCHOOLS FOR THE  
2 PRESCRIBED PAYMENTS AND INDIVIDUALIZED PAYMENTS DUE PRIOR TO APRIL FIRST  
3 FOR THE CURRENT YEAR PLUS THE APPORTIONMENT PAYABLE DURING THE CURRENT  
4 SCHOOL YEAR PURSUANT TO SUBDIVISIONS SIX-A AND FIFTEEN OF SECTION THIR-  
5 TY-SIX HUNDRED TWO OF THIS PART MINUS ANY REDUCTIONS TO CURRENT YEAR  
6 AIDS PURSUANT TO SUBDIVISION SEVEN OF SECTION THIRTY-SIX HUNDRED FOUR OF  
7 THIS PART OR ANY DEDUCTION FROM APPORTIONMENT PAYABLE PURSUANT TO THIS  
8 CHAPTER FOR COLLECTION OF A SCHOOL DISTRICT BASIC CONTRIBUTION AS  
9 DEFINED IN SUBDIVISION EIGHT OF SECTION FORTY-FOUR HUNDRED ONE OF THIS  
10 CHAPTER, LESS ANY GRANTS PROVIDED PURSUANT TO SUBPARAGRAPH TWO-A OF  
11 PARAGRAPH B OF SUBDIVISION FOUR OF SECTION NINETY-TWO-C OF THE STATE  
12 FINANCE LAW, LESS ANY GRANTS PROVIDED PURSUANT TO SUBDIVISION TWELVE OF  
13 SECTION THIRTY-SIX HUNDRED FORTY-ONE OF THIS ARTICLE; OR (II) THE APPOR-  
14 TIONMENT CALCULATED BY THE COMMISSIONER BASED ON DATA ON FILE AT THE  
15 TIME THE PAYMENT IS PROCESSED; PROVIDED HOWEVER, THAT FOR THE PURPOSES  
16 OF ANY PAYMENTS MADE PURSUANT TO THIS SECTION PRIOR TO THE FIRST BUSI-  
17 NESS DAY OF JUNE OF THE CURRENT YEAR, MONEYS APPORTIONED SHALL NOT  
18 INCLUDE ANY AIDS PAYABLE PURSUANT TO SUBDIVISIONS SIX AND FOURTEEN, IF  
19 APPLICABLE, OF SECTION THIRTY-SIX HUNDRED TWO OF THIS PART AS CURRENT  
20 YEAR AID FOR DEBT SERVICE ON BOND ANTICIPATION NOTES AND/OR BONDS FIRST  
21 ISSUED IN THE CURRENT YEAR OR ANY AIDS PAYABLE FOR FULL-DAY KINDERGARTEN  
22 FOR THE CURRENT YEAR PURSUANT TO SUBDIVISION NINE OF SECTION THIRTY-SIX  
23 HUNDRED TWO OF THIS PART. THE DEFINITIONS OF "BASE YEAR" AND "CURRENT  
24 YEAR" AS SET FORTH IN SUBDIVISION ONE OF SECTION THIRTY-SIX HUNDRED TWO  
25 OF THIS PART SHALL APPLY TO THIS SECTION.

26 S 5. Paragraph b of subdivision 2 of section 3612 of the education  
27 law, as amended by section 15 of part A of chapter 57 of the laws of  
28 2013, is amended to read as follows:

29 b. Such grants shall be awarded to school districts, within the limits  
30 of funds appropriated therefor, through a competitive process that takes  
31 into consideration the magnitude of any shortage of teachers in the  
32 school district, the number of teachers employed in the school district  
33 who hold temporary licenses to teach in the public schools of the state,  
34 the number of provisionally certified teachers, the fiscal capacity and  
35 geographic sparsity of the district, the number of new teachers the  
36 school district intends to hire in the coming school year and the number  
37 of summer in the city student internships proposed by an eligible school  
38 district, if applicable. Grants provided pursuant to this section shall  
39 be used only for the purposes enumerated in this section. Notwithstand-  
40 ing any other provision of law to the contrary, a city school district  
41 in a city having a population of one million or more inhabitants receiv-  
42 ing a grant pursuant to this section may use no more than eighty percent  
43 of such grant funds for any recruitment, retention and certification  
44 costs associated with transitional certification of teacher candidates  
45 for the school years two thousand one--two thousand two through [two  
46 thousand thirteen--two thousand fourteen] TWO THOUSAND FOURTEEN--TWO  
47 THOUSAND FIFTEEN.

48 S 6. The education law is amended by adding a new section 3613 to read  
49 as follows:

50 S 3613. SCHOOL DISTRICT REORGANIZATIONS AND REAL PROPERTY TAX RATES.  
51 1. WHEN TWO OR MORE SCHOOL DISTRICTS PROPOSE TO REORGANIZE PURSUANT TO  
52 SECTIONS FIFTEEN HUNDRED ELEVEN THROUGH FIFTEEN HUNDRED THIRTEEN,  
53 FIFTEEN HUNDRED TWENTY-FOUR, FIFTEEN HUNDRED TWENTY-SIX, SEVENTEEN  
54 HUNDRED FIVE, OR EIGHTEEN HUNDRED ONE THROUGH EIGHTEEN HUNDRED THREE OF  
55 THIS CHAPTER, AND UNDER THE LAW THAT WOULD OTHERWISE BE APPLICABLE, THE  
56 REORGANIZATION WOULD HAVE AN IMPACT UPON THE SCHOOL TAX RATES WITHIN THE



1 AREAS SERVED BY THE SCHOOL DISTRICTS THAT EXISTED PRIOR TO THE REORGAN-  
2 IZATION, NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE  
3 BOARDS OF EDUCATION OR TRUSTEES OF ALL THE SCHOOL DISTRICTS PARTICIPAT-  
4 ING IN THE PROPOSED REORGANIZATION MAY OPT TO HAVE THAT IMPACT DEFERRED  
5 FOR A ONE-YEAR PERIOD AND/OR PHASED-IN OVER A PERIOD AS MAY BE DETER-  
6 MINED BY THE BOARDS OF EDUCATION OR TRUSTEES OF ALL PARTICIPATING SCHOOL  
7 DISTRICTS IN THE MANNER PRESCRIBED BY THIS SECTION BUT WHICH SHALL NOT  
8 EXCEED A TEN-YEAR PERIOD. TO EXERCISE SUCH OPTION, THE BOARDS OF EDUCA-  
9 TION OR TRUSTEES OF ALL PARTICIPATING SCHOOL DISTRICTS, AFTER CONDUCTING  
10 A PUBLIC HEARING, MAY ADOPT A RESOLUTION AT LEAST FORTY-FIVE DAYS PRIOR  
11 TO THE SPECIAL DISTRICT MEETING AT WHICH THE REORGANIZATION VOTE WILL BE  
12 HELD, TO DEFER AND/OR PHASE-IN THE IMPACT AS PROVIDED HEREIN. IF THE  
13 BOARD OF EDUCATION OR TRUSTEES OF ANY PARTICIPATING SCHOOL DISTRICT DOES  
14 NOT APPROVE SUCH A RESOLUTION OPTING FOR A COMMON PHASE-IN PERIOD, THE  
15 PROVISIONS OF THIS SECTION SHALL NOT APPLY.

16 2. DURING THE ONE-YEAR DEFERRAL PERIOD, THE TAX RATE FOR EACH PORTION  
17 OF THE SCHOOL DISTRICT SHALL BE CALCULATED IN THE FOLLOWING MANNER:

18 (A) DETERMINE THE ASSESSED VALUE TAX RATE THAT APPLIED FOR THE SCHOOL  
19 YEAR IMMEDIATELY PRECEDING THE SCHOOL YEAR IN WHICH THE REORGANIZATION  
20 TOOK EFFECT.

21 (B) MULTIPLY THAT ASSESSED VALUE TAX RATE BY THE STATE EQUALIZATION  
22 RATE APPLICABLE TO THE PORTION FOR THE SCHOOL YEAR IMMEDIATELY PRECEDING  
23 THE SCHOOL YEAR IN WHICH THE REORGANIZATION TOOK EFFECT.

24 (C) DIVIDE THE PRODUCT SO DETERMINED BY THE STATE EQUALIZATION RATE  
25 APPLICABLE TO THE PORTION FOR THE FIRST SCHOOL YEAR OF THE REORGANIZED  
26 SCHOOL DISTRICT. THE QUOTIENT IS THE ASSESSED VALUE TAX RATE FOR THE  
27 PORTION FOR THAT SCHOOL YEAR. PROVIDED, THAT IF THE SUM OF THE REAL  
28 PROPERTY TAX LEVIES IN ALL OF THE PORTIONS IN THE SCHOOL DISTRICT, USING  
29 THE ASSESSED VALUE TAX RATES COMPUTED PURSUANT TO THIS SUBDIVISION,  
30 WOULD YIELD A REAL PROPERTY TAX LEVY THAT IS ABOVE OR BELOW THE TOTAL  
31 REAL PROPERTY TAX LEVY SPECIFIED IN THE SCHOOL DISTRICT BUDGET FOR THE  
32 CURRENT SCHOOL YEAR, THE ASSESSED VALUE TAX RATES SHALL ALL BE DECREASED  
33 OR INCREASED PROPORTIONATELY SO AS TO YIELD THE SPECIFIED REAL PROPERTY  
34 TAX LEVY AMOUNT.

35 3. DURING EACH YEAR OF A PHASE-IN PERIOD, WHOSE DURATION UP TO TEN  
36 YEARS SHALL HAVE BEEN DETERMINED BY THE BOARDS OF EDUCATION OR TRUSTEES  
37 OF THE CONSTITUENT SCHOOL DISTRICTS, THE TAX RATE FOR EACH PORTION OF  
38 THE REORGANIZED SCHOOL DISTRICT SHALL BE CALCULATED IN THE FOLLOWING  
39 MANNER:

40 (A) DETERMINE THE ASSESSED VALUE TAX RATE THAT APPLIED FOR THE SCHOOL  
41 YEAR IMMEDIATELY PRECEDING THE SCHOOL YEAR IN WHICH THE REORGANIZATION  
42 TOOK EFFECT.

43 (B) MULTIPLY THAT ASSESSED VALUE TAX RATE BY THE STATE EQUALIZATION  
44 RATE APPLICABLE TO THE PORTION FOR THE SCHOOL YEAR IMMEDIATELY PRECEDING  
45 THE SCHOOL YEAR IN WHICH THE REORGANIZATION TOOK EFFECT. THE RESULT IS  
46 THE BASE FULL VALUE TAX RATE OF THE PORTION.

47 (C) DETERMINE THE ASSESSED VALUE TAX RATE THAT WOULD HAVE APPLIED IN  
48 THE PORTION BUT FOR THE PROVISIONS OF THIS SECTION.

49 (D) MULTIPLY THAT ASSESSED VALUE TAX RATE BY THE STATE EQUALIZATION  
50 RATE THAT WOULD HAVE APPLIED FOR THE CURRENT SCHOOL YEAR BUT FOR THE  
51 PROVISIONS OF THIS SECTION. THE RESULT IS THE TARGET FULL VALUE TAX RATE  
52 FOR THE PORTION.

53 (E) DETERMINE THE DIFFERENCE BETWEEN THE TARGET FULL VALUE TAX RATE  
54 AND THE BASE FULL VALUE TAX RATE FOR THE PORTION.

55 (F) DIVIDE THE DIFFERENCE SO DETERMINED BY THE TOTAL NUMBER OF YEARS  
56 IN THE PHASE-IN PERIOD APPLICABLE TO THE SCHOOL DISTRICT.

1 (G) MULTIPLY THE QUOTIENT SO DETERMINED BY THE NUMBER OF YEARS FROM  
2 THE BEGINNING OF THE PHASE-IN PERIOD UP TO AND INCLUDING THE YEAR FOR  
3 WHICH THE TAX RATE IS BEING DETERMINED.

4 (H) ADD THE PRODUCT SO DETERMINED TO THE BASE FULL VALUE TAX RATE.

5 (I) DIVIDE THE SUM SO DETERMINED BY THE APPLICABLE EQUALIZATION RATE.  
6 THE QUOTIENT IS THE ASSESSED VALUE TAX RATE FOR THE PORTION FOR THE  
7 CURRENT SCHOOL YEAR. PROVIDED, THAT IF THE SUM OF THE REAL PROPERTY TAX  
8 LEVIES IN ALL OF THE PORTIONS IN THE SCHOOL DISTRICT, USING THE ASSESSED  
9 VALUE TAX RATES COMPUTED PURSUANT TO THIS SUBDIVISION, WOULD YIELD A  
10 REAL PROPERTY TAX LEVY THAT IS ABOVE OR BELOW THE TOTAL REAL PROPERTY  
11 TAX LEVY SPECIFIED IN THE SCHOOL DISTRICT BUDGET FOR THE CURRENT SCHOOL  
12 YEAR, THE ASSESSED VALUE TAX RATES SHALL ALL BE DECREASED OR INCREASED  
13 PROPORTIONATELY SO AS TO YIELD THE SPECIFIED REAL PROPERTY TAX LEVY  
14 AMOUNT.

15 4. AS USED HEREIN THE TERM "PORTION" MEANS THAT PART OF AN ASSESSING  
16 UNIT LOCATED WITHIN A SCHOOL DISTRICT.

17 S 7. Section 3627 of the education law, as added by section 23 of part  
18 A of chapter 57 of the laws of 2013, is amended to read as follows:

19 S 3627. Transportation after 4pm. 1. Notwithstanding any other  
20 provisions of this section to the contrary, for the two thousand thir-  
21 teen--two thousand fourteen AND TWO THOUSAND FOURTEEN--TWO THOUSAND  
22 FIFTEEN school [year] YEARS, a city school district located in a city  
23 having a population of one million or more providing transportation  
24 pursuant to this chapter shall be responsible for:

25 (a) providing transportation for those children attending public and  
26 nonpublic schools in grades kindergarten through six who remain at the  
27 same school for which they are enrolled for regularly scheduled academic  
28 classes from half-past nine o'clock in the morning or earlier until four  
29 o'clock in the afternoon or later, on weekdays, and reside at least one  
30 mile from their school of attendance for grades three through six, and  
31 at least one-half mile from their school of attendance for grades  
32 kindergarten through two or

33 (b) reimbursing the cost incurred by licensed transportation carriers  
34 pursuant to contracts with such school district for providing transpor-  
35 tation for those children attending public and nonpublic schools in  
36 grades kindergarten through six who remain at the same school for which  
37 they are enrolled for regularly scheduled academic classes from half-  
38 past nine o'clock in the morning or earlier until four o'clock in the  
39 afternoon or later, on weekdays, and reside at least one mile from their  
40 school of attendance for grades three through six, and at least one-half  
41 mile from their school of attendance for grades kindergarten through  
42 two.

43 2. Nothing herein shall prohibit the school district from reimbursing  
44 for costs incurred for contracts between the school district and any  
45 entity providing or contracting for such transportation service.

46 3. A district shall not be deemed to have satisfied its obligation  
47 under this section by providing public service transportation.

48 4. Notwithstanding any other provision of law to the contrary, any  
49 expenditures for transportation provided pursuant to this section in the  
50 two thousand thirteen--two thousand fourteen AND TWO THOUSAND FOURTEEN-  
51 -TWO THOUSAND FIFTEEN school [year] YEARS and otherwise eligible for  
52 transportation aid pursuant to subdivision seven of section thirty-six  
53 hundred two of this article shall be considered approved transportation  
54 expenses eligible for transportation aid, provided further that such aid  
55 shall be limited to five million six hundred thousand dollars. And  
56 provided further that such expenditures eligible for aid under this

1 section shall supplement not supplant local expenditures for such trans-  
2 portation in the two thousand twelve--two thousand thirteen school year.

3 5. Notwithstanding any other provision of this section to the contra-  
4 ry, in no event shall such city school district, in order to comply with  
5 the requirements of this section, be required to incur any costs in  
6 excess of the amount eligible for transportation aid pursuant to subdivi-  
7 sion four of this section. In the event such amount is insufficient,  
8 the city school district of New York shall provide transportation  
9 services within such amount on an equitable basis, until such apportion-  
10 ment is exhausted.

11 6. The chancellor of such school district, in consultation with the  
12 commissioner, shall prescribe the most cost effective system for imple-  
13 menting the requirements of this section, taking into consideration: (a)  
14 the costs associated with paragraphs (a) and (b) of subdivision one of  
15 this section, and (b) policies that attempt to maximize student safety  
16 for the student to be transported, which for purposes of this section  
17 shall include whether the pick up or drop off site of the transportation  
18 is:

19 (i) not further than 600 feet from the student's residence; and/or  
20 (ii) at the same locations for any family that have children at the  
21 same residence who attend two or more different schools.

22 7. (a) In the event the chancellor has not satisfied a district's  
23 obligation under this section, a parent or guardian or any represen-  
24 tative authorized by such parent or guardian of a child eligible to  
25 receive transportation under this section may request the commissioner  
26 to arrange for the provision of the transportation to so satisfy the  
27 requirements of this section.

28 (b) If within sixty days of receiving a request from such a parent or  
29 guardian or any representative authorized by such parent or guardian,  
30 the commissioner determines that the chancellor has not satisfied a  
31 district's obligation under this section, then the commissioner shall  
32 immediately direct the chancellor to contract with a licensed transpor-  
33 tation carrier to provide the transportation required pursuant to this  
34 section.

35 (c) In the event the chancellor is directed by the commissioner to  
36 contract with a licensed transportation carrier to provide the transpor-  
37 tation required pursuant to this section, the chancellor shall provide  
38 the commissioner with a copy of such proposed contract, before it  
39 becomes effective, and the commissioner shall have the power to approve,  
40 disapprove or require amendments to such contract before it shall become  
41 effective.

42 (d) A district, determined by the commissioner to not be in compliance  
43 with the requirements of this section, shall be responsible for the cost  
44 of any transportation contract awarded by the chancellor.

45 8. The parent or guardian, or any representative authorized by such  
46 parent or guardian, may submit a written request for transportation  
47 under this section, in the same manner and upon the same dates as are  
48 required for a request for transportation pursuant to subdivision two of  
49 section thirty-six hundred thirty-five of this article.

50 S 8. Section 3641 of the education law is amended by adding a new  
51 subdivision 6-c to read as follows:

52 6-C. TEACHER EXCELLENCE FUND. A. WITHIN THE AMOUNT APPROPRIATED FOR  
53 SUCH PURPOSE, SUBJECT TO A REQUEST FOR PROPOSALS DEVELOPED BY THE  
54 COMMISSIONER AND APPROVED BY THE DIRECTOR OF THE BUDGET, THE COMMISSION-  
55 ER SHALL AWARD TEACHER EXCELLENCE FUND GRANTS PURSUANT TO THIS SUBDIVI-  
56 SION TO ELIGIBLE SCHOOL DISTRICTS, BEGINNING IN THE TWO THOUSAND FOUR-

1 TEEN--TWO THOUSAND FIFTEEN SCHOOL YEAR, TO PROVIDE TEACHER EXCELLENCE  
2 FUND PERFORMANCE AWARDS TO HIGHLY EFFECTIVE TEACHERS.

3 (1) TEACHER EXCELLENCE FUND PERFORMANCE AWARDS SHALL BE ALLOCATED IN  
4 AN ANNUAL AMOUNT OF UP TO TWENTY THOUSAND DOLLARS TO ELIGIBLE TEACHERS  
5 RATED AS "HIGHLY EFFECTIVE" BASED ON THE MOST RECENT ANNUAL PROFESSIONAL  
6 PERFORMANCE REVIEW, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION THREE  
7 THOUSAND TWELVE-C OF THIS CHAPTER AND REGULATIONS OF THE COMMISSIONER.

8 (2) ON AN ANNUAL BASIS, ELIGIBLE SCHOOL DISTRICTS MAY SUBMIT AN APPLI-  
9 CATION TO THE COMMISSIONER, IN A FORM AND MANNER PRESCRIBED BY THE  
10 COMMISSIONER, TO REQUEST FUNDING PURSUANT TO THIS SUBDIVISION.

11 (3) THE COMMISSIONER SHALL MAKE AVAILABLE SUCH APPLICATION ON OR  
12 BEFORE MAY FIFTEENTH OF THE PRECEDING SCHOOL YEAR AND THE COMMISSIONER  
13 SHALL ISSUE PRELIMINARY TEACHER EXCELLENCE FUND GRANT AWARDS ON OR  
14 BEFORE OCTOBER FIFTEENTH OF THE SCHOOL YEAR IN WHICH THE ELIGIBLE TEACH-  
15 ER SHALL RECEIVE A TEACHER EXCELLENCE FUND PERFORMANCE AWARD.

16 (4) APPLICATIONS SUBMITTED BY ELIGIBLE SCHOOL DISTRICTS SHALL INCLUDE  
17 INFORMATION REQUIRED BY THE COMMISSIONER INCLUDING, BUT NOT LIMITED TO,  
18 THE EXTENT TO WHICH THE SCHOOL DISTRICT'S PLAN IS INTENDED TO RECOGNIZE  
19 AND REWARD HIGHLY-EFFECTIVE TEACHERS: (I) IN SCHOOL BUILDINGS WITH THE  
20 GREATEST ACADEMIC NEED; (II) IN DIFFICULT-TO-STAFF SUBJECT OR CERTIF-  
21 ICATION AREAS AND/OR GRADE LEVELS; AND (III) AT CRITICAL POINTS IN A  
22 TEACHER'S CAREER IN ORDER TO ENCOURAGE HIGHLY EFFECTIVE TEACHERS TO  
23 REMAIN IN THE CLASSROOM.

24 (5) THE COMMISSIONER SHALL PRIORITIZE APPLICATIONS SUBMITTED BY ELIGI-  
25 BLE SCHOOL DISTRICTS BASED ON FACTORS INCLUDING, BUT NOT LIMITED TO, THE  
26 FACTORS DESCRIBED IN SUBPARAGRAPH FOUR OF THIS PARAGRAPH AND THE QUALITY  
27 OF THE PROPOSAL.

28 (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE  
29 TEACHER EXCELLENCE FUND PERFORMANCE AWARDS PROVIDED BY THIS SUBDIVISION  
30 SHALL BE IN ADDITION TO, AND SHALL NOT BE CONSIDERED PART OF, A TEACH-  
31 ER'S BASIC ANNUAL SALARY, AND SHALL NOT BE INCLUDED AS COMPENSATION FOR  
32 RETIREMENT PURPOSES. TEACHER EXCELLENCE FUND PERFORMANCE AWARDS SHALL  
33 SUPPLEMENT AND SHALL NOT SUPPLANT COMPENSATION FROM SOURCES EXCLUSIVE OF  
34 THIS SUBDIVISION AGREED TO AS PART OF A COLLECTIVE BARGAINING AGREEMENT.

35 B. FOR THE PURPOSE OF THIS SUBDIVISION:

36 (1) THE TERM "ELIGIBLE SCHOOL DISTRICT" SHALL MEAN A COMMON, UNION  
37 FREE, CENTRAL, CENTRAL HIGH SCHOOL, CITY, OR SPECIAL ACT SCHOOL DISTRICT  
38 THAT HAS ENTERED INTO AN AGREEMENT WITH THE COLLECTIVE BARGAINING REPRE-  
39 SENTATIVES OF CERTIFIED TEACHERS CONSISTENT WITH THE PROVISIONS OF THE  
40 APPLICATION SUBMITTED BY THE SCHOOL DISTRICT PURSUANT TO PARAGRAPH A OF  
41 THIS SUBDIVISION.

42 (2) THE TERM "ELIGIBLE TEACHER" SHALL MEAN A TEACHER WHO (I) HOLDS AN  
43 INITIAL, PROVISIONAL, TRANSITIONAL, PERMANENT OR PROFESSIONAL STATE  
44 TEACHING CERTIFICATE APPROPRIATE TO THE TEACHING POSITIONS, INCLUDING  
45 THE SUBJECT AREA IF APPLICABLE, IN WHICH HE OR SHE IS EMPLOYED; (II) IS  
46 A CLASSROOM TEACHER SUBJECT TO THE ANNUAL PROFESSIONAL PERFORMANCE  
47 REVIEW REQUIREMENTS OF SECTION THREE THOUSAND TWELVE-C OF THIS CHAPTER;  
48 AND (III) IS RATED "HIGHLY EFFECTIVE" BASED ON HIS OR HER MOST RECENT  
49 ANNUAL PROFESSIONAL PERFORMANCE REVIEW, IN ACCORDANCE WITH THE REQUIRE-  
50 MENTS OF SECTION THREE THOUSAND TWELVE-C OF THIS CHAPTER AND REGULATIONS  
51 OF THE COMMISSIONER.

52 S 9. Subdivision 6 of section 4402 of the education law, as amended by  
53 section 21 of part A of chapter 57 of the laws of 2013, is amended to  
54 read as follows:

55 6. Notwithstanding any other law, rule or regulation to the contrary,  
56 the board of education of a city school district with a population of

1 one hundred twenty-five thousand or more inhabitants shall be permitted  
2 to establish maximum class sizes for special classes for certain  
3 students with disabilities in accordance with the provisions of this  
4 subdivision. For the purpose of obtaining relief from any adverse fiscal  
5 impact from under-utilization of special education resources due to low  
6 student attendance in special education classes at the middle and  
7 secondary level as determined by the commissioner, such boards of educa-  
8 tion shall, during the school years nineteen hundred ninety-five--nine-  
9 ty-six through June thirtieth, two thousand [fourteen] FIFTEEN of the  
10 two thousand [thirteen] FOURTEEN--two thousand [fourteen] FIFTEEN school  
11 year, be authorized to increase class sizes in special classes contain-  
12 ing students with disabilities whose age ranges are equivalent to those  
13 of students in middle and secondary schools as defined by the commis-  
14 sioner for purposes of this section by up to but not to exceed one and  
15 two tenths times the applicable maximum class size specified in regu-  
16 lations of the commissioner rounded up to the nearest whole number,  
17 provided that in a city school district having a population of one  
18 million or more, classes that have a maximum class size of fifteen may  
19 be increased by no more than one student and provided that the projected  
20 average class size shall not exceed the maximum specified in the appli-  
21 cable regulation, provided that such authorization shall terminate on  
22 June thirtieth, two thousand. Such authorization shall be granted upon  
23 filing of a notice by such a board of education with the commissioner  
24 stating the board's intention to increase such class sizes and a certif-  
25 ication that the board will conduct a study of attendance problems at  
26 the secondary level and will implement a corrective action plan to  
27 increase the rate of attendance of students in such classes to at least  
28 the rate for students attending regular education classes in secondary  
29 schools of the district. Such corrective action plan shall be submitted  
30 for approval by the commissioner by a date during the school year in  
31 which such board increases class sizes as provided pursuant to this  
32 subdivision to be prescribed by the commissioner. Upon at least thirty  
33 days notice to the board of education, after conclusion of the school  
34 year in which such board increases class sizes as provided pursuant to  
35 this subdivision, the commissioner shall be authorized to terminate such  
36 authorization upon a finding that the board has failed to develop or  
37 implement an approved corrective action plan.

38 S 10. The education law is amended by adding a new section 4403-a to  
39 read as follows:

40 S 4403-A. WAIVERS FROM CERTAIN DUTIES. 1. A LOCAL SCHOOL DISTRICT,  
41 APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES MAY  
42 SUBMIT AN APPLICATION FOR A WAIVER FROM ANY REQUIREMENT IMPOSED ON SUCH  
43 DISTRICT, SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES PURSUANT  
44 TO SECTION FORTY-FOUR HUNDRED TWO OR SECTION FORTY-FOUR HUNDRED THREE OF  
45 THIS ARTICLE, AND REGULATIONS PROMULGATED THEREUNDER, FOR A SPECIFIC  
46 SCHOOL YEAR. SUCH APPLICATION MUST BE SUBMITTED AT LEAST SIXTY DAYS IN  
47 ADVANCE OF THE PROPOSED DATE ON WHICH THE WAIVER WOULD BE EFFECTIVE AND  
48 SHALL BE IN A FORM PRESCRIBED BY THE COMMISSIONER.

49 2. BEFORE SUBMITTING AN APPLICATION FOR A WAIVER, THE LOCAL SCHOOL  
50 DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL  
51 SERVICES SHALL PROVIDE NOTICE OF THE PROPOSED WAIVER TO THE PARENTS OR  
52 PERSONS IN PARENTAL RELATIONSHIP TO THE STUDENTS THAT WOULD BE IMPACTED  
53 BY THE WAIVER IF GRANTED. SUCH NOTICE SHALL BE IN A FORM AND MANNER THAT  
54 WILL ENSURE THAT SUCH PARENTS AND PERSONS IN PARENTAL RELATIONSHIP WILL  
55 BE AWARE OF ALL RELEVANT CHANGES THAT WOULD OCCUR UNDER THE WAIVER, AND  
56 SHALL INCLUDE INFORMATION ON THE FORM, MANNER AND DATE BY WHICH PARENTS

1 MAY SUBMIT WRITTEN COMMENTS ON THE PROPOSED WAIVER. THE LOCAL SCHOOL  
2 DISTRICT, APPROVED PRIVATE SCHOOL, OR BOARD OF COOPERATIVE EDUCATIONAL  
3 SERVICES SHALL PROVIDE AT LEAST SIXTY DAYS FOR SUCH PARENTS AND PERSONS  
4 IN PARENTAL RELATIONSHIP TO SUBMIT WRITTEN COMMENTS, AND SHALL INCLUDE  
5 IN THE WAIVER APPLICATION SUBMITTED TO THE COMMISSIONER PURSUANT TO  
6 SUBDIVISION ONE OF THIS SECTION ANY WRITTEN COMMENTS RECEIVED FROM SUCH  
7 PARENTS OR PERSONS IN PARENTAL RELATION TO SUCH STUDENTS.

8 3. THE COMMISSIONER MAY GRANT A WAIVER FROM ANY REQUIREMENT IMPOSED ON  
9 A LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE  
10 EDUCATIONAL SERVICES PURSUANT TO SECTION FORTY-FOUR HUNDRED TWO OR  
11 SECTION FORTY-FOUR HUNDRED THREE OF THIS ARTICLE, UPON A FINDING THAT  
12 SUCH WAIVER WILL ENABLE A LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL  
13 OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO IMPLEMENT AN INNOVATIVE  
14 SPECIAL EDUCATION PROGRAM THAT IS CONSISTENT WITH APPLICABLE FEDERAL  
15 REQUIREMENTS, AND WILL ENHANCE STUDENT ACHIEVEMENT AND/OR OPPORTUNITIES  
16 FOR PLACEMENT IN REGULAR CLASSES AND PROGRAMS. IN MAKING SUCH DETERMI-  
17 NATION, THE COMMISSIONER SHALL CONSIDER ANY COMMENTS RECEIVED BY THE  
18 LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF COOPERATIVE  
19 EDUCATIONAL SERVICES FROM PARENTS OR PERSONS IN PARENTAL RELATION TO THE  
20 STUDENTS THAT WOULD BE DIRECTLY AFFECTED BY THE WAIVER IF GRANTED.

21 4. ANY LOCAL SCHOOL DISTRICT, APPROVED PRIVATE SCHOOL OR BOARD OF  
22 COOPERATIVE EDUCATIONAL SERVICES GRANTED A WAIVER SHALL SUBMIT AN ANNUAL  
23 REPORT TO THE COMMISSIONER REGARDING THE OPERATION AND EVALUATION OF THE  
24 PROGRAM NO LATER THAN THIRTY DAYS AFTER THE END OF EACH SCHOOL YEAR FOR  
25 WHICH A WAIVER IS GRANTED.

26 S 11. Subparagraph (i) of paragraph a of subdivision 10 of section  
27 4410 of the education law, as amended by chapter 82 of the laws of 1995,  
28 is amended and a new subparagraph (iv) is added to read as follows:

29 (i) (A) Commencing with the nineteen hundred ninety--ninety-one school  
30 year, the commissioner shall annually determine the tuition rate for  
31 approved services or programs provided to preschool children pursuant to  
32 this section. Such rates for providers of such services and programs  
33 shall be determined in conformance with a methodology established pursu-  
34 ant to subdivision four of section forty-four hundred five of this arti-  
35 cle after consultation with and a review of an annual report prepared by  
36 the advisory committee established pursuant to paragraph a of subdivi-  
37 sion twelve of this section and shall be subject to the approval of the  
38 director of the budget. Notwithstanding any other provision of law, rule  
39 or regulation to the contrary, tuition rates established for the nine-  
40 teen hundred ninety-five--ninety-six school year shall exclude the two  
41 percent cost of living adjustment authorized in rates established for  
42 the nineteen hundred ninety-four--ninety-five school year.

43 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO  
44 THE CONTRARY, FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL  
45 YEAR AND THEREAFTER, THE COMMISSIONER, SUBJECT TO THE APPROVAL OF THE  
46 DIRECTOR OF THE BUDGET, SHALL ESTABLISH REGIONAL TUITION RATES FOR  
47 SPECIAL EDUCATION ITINERANT SERVICES BASED ON APPROVED ACTUAL COSTS IN  
48 ACCORDANCE WITH A METHODOLOGY ESTABLISHED PURSUANT TO SUBDIVISION FOUR  
49 OF SECTION FORTY-FOUR HUNDRED FIVE OF THIS ARTICLE. SUCH SPECIAL EDUCA-  
50 TION ITINERANT SERVICES SHALL BE PROVIDED BY APPROVED PROGRAMS, AND SUCH  
51 APPROVED PROGRAMS SHALL BE REIMBURSED FOR SUCH SERVICES BASED ON THE  
52 ACTUAL ATTENDANCE OF PRESCHOOL CHILDREN RECEIVING SUCH SERVICES.

53 (IV) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO  
54 THE CONTRARY, FOR THE TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL  
55 YEAR AND THEREAFTER, THE CITY OF NEW YORK SHALL BE AUTHORIZED TO ESTAB-  
56 LISH LOCAL TUITION RATES FOR APPROVED SPECIAL EDUCATION ITINERANT

1 SERVICES PROVIDED WITHIN THE CITY OF NEW YORK THROUGH A COMPETITIVE  
2 REQUEST FOR PROPOSALS PROCESS, PROVIDED THAT SUCH LOCAL TUITION RATES  
3 SHALL NOT EXCEED THE TUITION RATES DETERMINED BY THE COMMISSIONER AND  
4 APPROVED BY THE DIRECTOR OF THE BUDGET PURSUANT TO SUBPARAGRAPHS (I)  
5 THROUGH (III) OF THIS PARAGRAPH, AND SECTION FORTY-FOUR HUNDRED FIVE OF  
6 THIS ARTICLE. THE LOCAL TUITION RATES SO ESTABLISHED SHALL BE USED IN  
7 THE CONTRACTS WITH PROVIDERS PROVIDING SPECIAL EDUCATION ITINERANT  
8 SERVICES WITHIN THE CITY OF NEW YORK. NOTWITHSTANDING ANY OTHER  
9 PROVISION OF THIS ARTICLE TO THE CONTRARY, THE CITY OF NEW YORK SHALL BE  
10 RESPONSIBLE FOR ARRANGING FOR AND SELECTING THE APPROVED SPECIAL EDUCA-  
11 TION ITINERANT PROGRAM PROVIDER THROUGH THE COMPETITIVE REQUEST FOR  
12 PROPOSAL PROCESS TO DELIVER THE SERVICES CONSISTENT WITH THE INDIVIDUAL-  
13 IZED EDUCATION PROGRAM OF THE PRESCHOOL CHILD. PROVIDED, HOWEVER, THAT  
14 THE COMPETITIVE REQUEST FOR PROPOSAL PROCESS AUTHORIZED BY THIS SUBPARA-  
15 GRAPH SHALL NOT APPLY TO PRESCHOOL CHILDREN WITH DISABILITIES WHO  
16 RECEIVED PROGRAMS OR SERVICES PURSUANT TO THIS SECTION IN THE TWO THOU-  
17 SAND THIRTEEN--TWO THOUSAND FOURTEEN SCHOOL YEAR. THE CITY OF NEW YORK  
18 SHALL BE REQUIRED TO PROVIDE DATA RELATING TO ITS LOCAL TUITION RATES TO  
19 THE DEPARTMENT IN THE FORM AND MANNER PRESCRIBED BY THE COMMISSIONER.

20 S 12. Subdivision b of section 2 of chapter 756 of the laws of 1992,  
21 relating to funding a program for work force education conducted by the  
22 consortium for worker education in New York city, as amended by section  
23 27 of part A of chapter 57 of the laws of 2013, is amended to read as  
24 follows:

25 b. Reimbursement for programs approved in accordance with subdivision  
26 a of this section [for the 2010--2011 school year shall not exceed 62.6  
27 percent of the lesser of such approvable costs per contact hour or  
28 twelve dollars and five cents per contact hour, reimbursement] for the  
29 2011--2012 school year shall not exceed 62.9 percent of the lesser of  
30 such approvable costs per contact hour or twelve dollars and fifteen  
31 cents per contact hour, reimbursement for the 2012--2013 school year  
32 shall not exceed 63.3 percent of the lesser of such approvable costs per  
33 contact hour or twelve dollars and thirty-five cents per contact hour,  
34 [and] reimbursement for the 2013--2014 school year shall not exceed 62.3  
35 percent of the lesser of such approvable costs per contact hour or  
36 twelve dollars and sixty-five cents per contact hour, AND REIMBURSEMENT  
37 FOR THE 2014--2015 SCHOOL YEAR SHALL NOT EXCEED 61.6 PERCENT OF THE  
38 LESSER OF SUCH APPROVABLE COSTS PER CONTACT HOUR OR EIGHT DOLLARS AND  
39 THREE CENTS PER CONTACT HOUR where a contact hour represents sixty  
40 minutes of instruction services provided to an eligible adult. Notwith-  
41 standing any other provision of law to the contrary, [for the 2010--2011  
42 school year such contact hours shall not exceed one million five hundred  
43 twenty-five thousand one hundred ninety-eight (1,525,198) hours; where-  
44 as] for the 2011--2012 school year such contact hours shall not exceed  
45 one million seven hundred one thousand five hundred seventy (1,701,570)  
46 hours; whereas for the 2012--2013 school year such contact hours shall  
47 not exceed one million six hundred sixty-four thousand five hundred  
48 thirty-two (1,664,532) hours; whereas for the 2013--2014 school year  
49 such contact hours shall not exceed one million six hundred forty-nine  
50 thousand seven hundred forty-six (1,649,746) hours; WHEREAS FOR THE  
51 2014--2015 SCHOOL YEAR SUCH CONTACT HOURS SHALL NOT EXCEED ONE MILLION  
52 FOUR HUNDRED THIRTY-TWO THOUSAND ONE HUNDRED TWENTY-NINE (1,432,129)  
53 HOURS. Notwithstanding any other provision of law to the contrary, the  
54 apportionment calculated for the city school district of the city of New  
55 York pursuant to subdivision 11 of section 3602 of the education law  
56 shall be computed as if such contact hours provided by the consortium

1 for worker education, not to exceed the contact hours set forth herein,  
2 were eligible for aid in accordance with the provisions of such subdivi-  
3 sion 11 of section 3602 of the education law.

4 S 13. Section 4 of chapter 756 of the laws of 1992, relating to fund-  
5 ing a program for work force education conducted by the consortium for  
6 worker education in New York city, is amended by adding a new subdivi-  
7 sions to read as follows:

8 S. THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY AFTER THE  
9 COMPLETION OF PAYMENTS FOR THE 2014--2015 SCHOOL YEAR. NOTWITHSTANDING  
10 ANY INCONSISTENT PROVISIONS OF LAW, THE COMMISSIONER OF EDUCATION SHALL  
11 WITHHOLD A PORTION OF EMPLOYMENT PREPARATION EDUCATION AID DUE TO THE  
12 CITY SCHOOL DISTRICT OF THE CITY OF NEW YORK TO SUPPORT A PORTION OF THE  
13 COSTS OF THE WORK FORCE EDUCATION PROGRAM. SUCH MONEYS SHALL BE CREDITED  
14 TO THE ELEMENTARY AND SECONDARY EDUCATION FUND-LOCAL ASSISTANCE ACCOUNT  
15 AND SHALL NOT EXCEED ELEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS  
16 (\$11,500,000).

17 S 14. Section 6 of chapter 756 of the laws of 1992, relating to fund-  
18 ing a program for work force education conducted by the consortium for  
19 worker education in New York city, as amended by section 29 of part A of  
20 chapter 57 of the laws of 2013, is amended to read as follows:

21 S 6. This act shall take effect July 1, 1992, and shall be deemed  
22 repealed on June 30, [2014] 2015.

23 S 15. Subdivision 1 of section 167 of chapter 169 of the laws of 1994,  
24 relating to certain provisions related to the 1994-95 state operations,  
25 aid to localities, capital projects and debt service budgets, as amended  
26 by section 30 of part A of chapter 57 of the laws of 2013, is amended to  
27 read as follows:

28 1. Sections one through seventy of this act shall be deemed to have  
29 been in full force and effect as of April 1, 1994 provided, however,  
30 that sections one, two, twenty-four, twenty-five and twenty-seven  
31 through seventy of this act shall expire and be deemed repealed on March  
32 31, 2000; provided, however, that section twenty of this act shall apply  
33 only to hearings commenced prior to September 1, 1994, and provided  
34 further that section twenty-six of this act shall expire and be deemed  
35 repealed on March 31, 1997; and provided further that sections four  
36 through fourteen, sixteen, and eighteen, nineteen and twenty-one through  
37 twenty-one-a of this act shall expire and be deemed repealed on March  
38 31, 1997; and provided further that sections three, fifteen, seventeen,  
39 twenty, twenty-two and twenty-three of this act shall expire and be  
40 deemed repealed on March 31, [2015] 2016.

41 S 16. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws  
42 of 1995, amending the education law and certain other laws relating to  
43 state aid to school districts and the appropriation of funds for the  
44 support of government, as amended by section 31 of part A of chapter 57  
45 of the laws of 2013, are amended to read as follows:

46 (22) sections one hundred twelve, one hundred thirteen, one hundred  
47 fourteen, one hundred fifteen and one hundred sixteen of this act shall  
48 take effect on July 1, 1995; provided, however, that section one hundred  
49 thirteen of this act shall remain in full force and effect until July 1,  
50 [2014] 2015 at which time it shall be deemed repealed;

51 (24) sections one hundred eighteen through one hundred thirty of this  
52 act shall be deemed to have been in full force and effect on and after  
53 July 1, 1995; provided further, however, that the amendments made pursu-  
54 ant to section one hundred [nineteen] TWENTY-FOUR of this act shall be  
55 deemed to be repealed on and after July 1, [2014] 2015;



1 S 17. Subdivision 8 of section 4401 of the education law, as amended  
2 by section 25-a of part A of chapter 57 of the laws of 2013, is amended  
3 to read as follows:

4 8. "School district basic contribution" shall mean an amount equal to  
5 the total school district local property and non-property tax levy for  
6 the base year divided by the base year public school district enrollment  
7 of resident pupils of the school district as defined in paragraph n of  
8 subdivision one of section thirty-six hundred two of this chapter,  
9 except that for the two thousand thirteen--two thousand fourteen AND TWO  
10 THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN school [year] YEARS, for school  
11 districts other than central high school districts and their components,  
12 such tax levy for the base year shall be divided by the year prior to  
13 the base year pupil count as determined by the commissioner pursuant to  
14 paragraph f of subdivision two of section thirty-six hundred two of this  
15 chapter for any school district in which such year prior to the base  
16 year pupil count exceeds one hundred fifty percent of such base year  
17 public school district enrollment of resident pupils.

18 S 18. Section 12 of chapter 147 of the laws of 2001, amending the  
19 education law relating to conditional appointment of school district,  
20 charter school or BOCES employees, as amended by section 32 of part A of  
21 chapter 57 of the laws of 2013, is amended to read as follows:

22 S 12. This act shall take effect on the same date as chapter 180 of  
23 the laws of 2000 takes effect, and shall expire July 1, [2014] 2015 when  
24 upon such date the provisions of this act shall be deemed repealed.

25 S 19. Section 4 of chapter 425 of the laws of 2002, amending the  
26 education law relating to the provisions of supplemental educational  
27 services, attendance at a safe public school and the suspension of  
28 pupils who bring a firearm to or possess a firearm at a school, as  
29 amended by section 33 of part A of chapter 57 of the laws of 2013, is  
30 amended to read as follows:

31 S 4. This act shall take effect July 1, 2002 and shall expire and be  
32 deemed repealed June 30, [2014] 2015.

33 S 20. Section 5 of chapter 101 of the laws of 2003, amending the  
34 education law relating to implementation of the No Child Left Behind Act  
35 of 2001, as amended by section 34 of part A of chapter 57 of the laws of  
36 2013, is amended to read as follows:

37 S 5. This act shall take effect immediately; provided that sections  
38 one, two and three of this act shall expire and be deemed repealed on  
39 June 30, [2014] 2015.

40 S 21. The opening paragraph of subdivision 10 of section 3602-e of the  
41 education law, as amended by section 10-a of part A of chapter 57 of the  
42 laws of 2012, is amended to read as follows:

43 Notwithstanding any provision of law to the contrary, for aid payable  
44 in the two thousand eight--two thousand nine school year, the grant to  
45 each eligible school district for universal prekindergarten aid shall be  
46 computed pursuant to this subdivision, and for the two thousand nine--  
47 two thousand ten and two thousand ten--two thousand eleven school years,  
48 each school district shall be eligible for a maximum grant equal to the  
49 amount computed for such school district for the base year in the elec-  
50 tronic data file produced by the commissioner in support of the two  
51 thousand nine--two thousand ten education, labor and family assistance  
52 budget, provided, however, that in the case of a district implementing  
53 programs for the first time or implementing expansion programs in the  
54 two thousand eight--two thousand nine school year where such programs  
55 operate for a minimum of ninety days in any one school year as provided  
56 in section 151-1.4 of the regulations of the commissioner, for the two

1 thousand nine--two thousand ten and two thousand ten--two thousand elev-  
2 en school years, such school district shall be eligible for a maximum  
3 grant equal to the amount computed pursuant to paragraph a of subdivi-  
4 sion nine of this section in the two thousand eight--two thousand nine  
5 school year, and for the two thousand eleven--two thousand twelve school  
6 year each school district shall be eligible for a maximum grant equal to  
7 the amount set forth for such school district as "UNIVERSAL PREKINDER-  
8 GARTEN" under the heading "2011-12 ESTIMATED AIDS" in the school aid  
9 computer listing produced by the commissioner in support of the enacted  
10 budget for the 2011-12 school year and entitled "SA111-2", and for two  
11 thousand twelve--two thousand thirteen [and], two thousand thirteen--two  
12 thousand fourteen AND TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN school  
13 years each school district shall be eligible for a maximum grant equal  
14 to the greater of (i) the amount set forth for such school district as  
15 "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS"  
16 in the school aid computer listing produced by the commissioner in  
17 support of the enacted budget for the 2011-12 school year and entitled  
18 "SA111-2", or (ii) the amount set forth for such school district as  
19 "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS"  
20 in the school aid computer listing produced by the commissioner on May  
21 fifteenth, two thousand eleven pursuant to paragraph b of subdivision  
22 twenty-one of section three hundred five of this chapter, and provided  
23 further that the maximum grant shall not exceed the total actual grant  
24 expenditures incurred by the school district in the current school year  
25 as approved by the commissioner.

26 S 22. School bus driver training. In addition to apportionments other-  
27 wise provided by section 3602 of the education law, for aid payable in  
28 the 2014--2015 school year, the commissioner of education shall allocate  
29 school bus driver training grants to school districts and boards of  
30 cooperative educational services pursuant to sections 3650-a, 3650-b and  
31 3650-c of the education law, or for contracts directly with not-for-pro-  
32 fit educational organizations for the purposes of this section. Such  
33 payments shall not exceed four hundred thousand dollars (\$400,000) per  
34 school year.

35 S 23. Special apportionment for salary expenses. a. Notwithstanding  
36 any other provision of law, upon application to the commissioner of  
37 education, not sooner than the first day of the second full business  
38 week of June, 2015 and not later than the last day of the third full  
39 business week of June, 2015, a school district eligible for an appor-  
40 tionment pursuant to section 3602 of the education law shall be eligible  
41 to receive an apportionment pursuant to this section, for the school  
42 year ending June 30, 2015, for salary expenses incurred between April 1  
43 and June 30, 2015 and such apportionment shall not exceed the sum of (i)  
44 the deficit reduction assessment of 1990--1991 as determined by the  
45 commissioner of education, pursuant to paragraph f of subdivision 1 of  
46 section 3602 of the education law, as in effect through June 30, 1993,  
47 plus (ii) 186 percent of such amount for a city school district in a  
48 city with a population in excess of 1,000,000 inhabitants, plus (iii)  
49 209 percent of such amount for a city school district in a city with a  
50 population of more than 195,000 inhabitants and less than 219,000 inhab-  
51 itants according to the latest federal census, plus (iv) the net gap  
52 elimination adjustment for 2010--2011, as determined by the commissioner  
53 of education pursuant to chapter 53 of the laws of 2010, plus (v) the  
54 gap elimination adjustment for 2011--2012 as determined by the commis-  
55 sioner of education pursuant to subdivision 17 of section 3602 of the  
56 education law, and provided further that such apportionment shall not

1 exceed such salary expenses. Such application shall be made by a school  
2 district, after the board of education or trustees have adopted a resolu-  
3 tion to do so and in the case of a city school district in a city with  
4 a population in excess of 125,000 inhabitants, with the approval of the  
5 mayor of such city.

6 b. The claim for an apportionment to be paid to a school district  
7 pursuant to subdivision a of this section shall be submitted to the  
8 commissioner of education on a form prescribed for such purpose, and  
9 shall be payable upon determination by such commissioner that the form  
10 has been submitted as prescribed. Such approved amounts shall be payable  
11 on the same day in September of the school year following the year in  
12 which application was made as funds provided pursuant to subparagraph  
13 (4) of paragraph b of subdivision 4 of section 92-c of the state finance  
14 law, on the audit and warrant of the state comptroller on vouchers  
15 certified or approved by the commissioner of education in the manner  
16 prescribed by law from moneys in the state lottery fund and from the  
17 general fund to the extent that the amount paid to a school district  
18 pursuant to this section exceeds the amount, if any, due such school  
19 district pursuant to subparagraph (2) of paragraph a of subdivision 1 of  
20 section 3609-a of the education law in the school year following the  
21 year in which application was made.

22 c. Notwithstanding the provisions of section 3609-a of the education  
23 law, an amount equal to the amount paid to a school district pursuant to  
24 subdivisions a and b of this section shall first be deducted from the  
25 following payments due the school district during the school year  
26 following the year in which application was made pursuant to subpara-  
27 graphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of  
28 section 3609-a of the education law in the following order: the lottery  
29 apportionment payable pursuant to subparagraph (2) of such paragraph  
30 followed by the fixed fall payments payable pursuant to subparagraph (4)  
31 of such paragraph and then followed by the district's payments to the  
32 teachers' retirement system pursuant to subparagraph (1) of such para-  
33 graph, and any remainder to be deducted from the individualized payments  
34 due the district pursuant to paragraph b of such subdivision shall be  
35 deducted on a chronological basis starting with the earliest payment due  
36 the district.

37 S 24. Special apportionment for public pension accruals. a. Notwith-  
38 standing any other provision of law, upon application to the commission-  
39 er of education, not later than June 30, 2015, a school district eligi-  
40 ble for an apportionment pursuant to section 3602 of the education law  
41 shall be eligible to receive an apportionment pursuant to this section,  
42 for the school year ending June 30, 2015 and such apportionment shall  
43 not exceed the additional accruals required to be made by school  
44 districts in the 2004--2005 and 2005--2006 school years associated with  
45 changes for such public pension liabilities. The amount of such addi-  
46 tional accrual shall be certified to the commissioner of education by  
47 the president of the board of education or the trustees or, in the case  
48 of a city school district in a city with a population in excess of  
49 125,000 inhabitants, the mayor of such city. Such application shall be  
50 made by a school district, after the board of education or trustees have  
51 adopted a resolution to do so and in the case of a city school district  
52 in a city with a population in excess of 125,000 inhabitants, with the  
53 approval of the mayor of such city.

54 b. The claim for an apportionment to be paid to a school district  
55 pursuant to subdivision a of this section shall be submitted to the  
56 commissioner of education on a form prescribed for such purpose, and

1 shall be payable upon determination by such commissioner that the form  
2 has been submitted as prescribed. Such approved amounts shall be payable  
3 on the same day in September of the school year following the year in  
4 which application was made as funds provided pursuant to subparagraph  
5 (4) of paragraph b of subdivision 4 of section 92-c of the state finance  
6 law, on the audit and warrant of the state comptroller on vouchers  
7 certified or approved by the commissioner of education in the manner  
8 prescribed by law from moneys in the state lottery fund and from the  
9 general fund to the extent that the amount paid to a school district  
10 pursuant to this section exceeds the amount, if any, due such school  
11 district pursuant to subparagraph (2) of paragraph a of subdivision 1 of  
12 section 3609-a of the education law in the school year following the  
13 year in which application was made.

14 c. Notwithstanding the provisions of section 3609-a of the education  
15 law, an amount equal to the amount paid to a school district pursuant to  
16 subdivisions a and b of this section shall first be deducted from the  
17 following payments due the school district during the school year  
18 following the year in which application was made pursuant to subpara-  
19 graphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of  
20 section 3609-a of the education law in the following order: the lottery  
21 apportionment payable pursuant to subparagraph (2) of such paragraph  
22 followed by the fixed fall payments payable pursuant to subparagraph (4)  
23 of such paragraph and then followed by the district's payments to the  
24 teachers' retirement system pursuant to subparagraph (1) of such para-  
25 graph, and any remainder to be deducted from the individualized payments  
26 due the district pursuant to paragraph b of such subdivision shall be  
27 deducted on a chronological basis starting with the earliest payment due  
28 the district.

29 S 25. a. Notwithstanding any other law, rule or regulation to the  
30 contrary, any moneys appropriated to the state education department may  
31 be suballocated to other state departments or agencies, as needed, to  
32 accomplish the intent of the specific appropriations contained therein.

33 b. Notwithstanding any other law, rule or regulation to the contrary,  
34 moneys appropriated to the state education department from the general  
35 fund/aid to localities, local assistance account-001, shall be for  
36 payment of financial assistance, as scheduled, net of disallowances,  
37 refunds, reimbursement and credits.

38 c. Notwithstanding any other law, rule or regulation to the contrary,  
39 all moneys appropriated to the state education department for aid to  
40 localities shall be available for payment of aid heretofore or hereafter  
41 to accrue and may be suballocated to other departments and agencies to  
42 accomplish the intent of the specific appropriations contained therein.

43 d. Notwithstanding any other law, rule or regulation to the contrary,  
44 moneys appropriated to the state education department for general  
45 support for public schools may be interchanged with any other item of  
46 appropriation for general support for public schools within the general  
47 fund local assistance account office of prekindergarten through grade  
48 twelve education programs.

49 S 26. Notwithstanding the provision of any law, rule, or regulation to  
50 the contrary, the city school district of the city of Rochester, upon  
51 the consent of the board of cooperative educational services of the  
52 supervisory district serving its geographic region may purchase from  
53 such board for the 2014--2015 school year, as a non-component school  
54 district, services required by article 19 of the education law.

55 S 27. The amounts specified in this section shall be a set aside from  
56 the state funds which each such district is receiving from the total

1 foundation aid: for the purpose of the development, maintenance or  
2 expansion of magnet schools or magnet school programs for the 2014--2015  
3 school year. To the city school district of the city of New York there  
4 shall be paid forty-eight million one hundred seventy-five thousand  
5 dollars (\$48,175,000) including five hundred thousand dollars (\$500,000)  
6 for the Andrew Jackson High School; to the Buffalo city school district,  
7 twenty-one million twenty-five thousand dollars (\$21,025,000); to the  
8 Rochester city school district, fifteen million dollars (\$15,000,000);  
9 to the Syracuse city school district, thirteen million dollars  
10 (\$13,000,000); to the Yonkers city school district, forty-nine million  
11 five hundred thousand dollars (\$49,500,000); to the Newburgh city school  
12 district, four million six hundred forty-five thousand dollars  
13 (\$4,645,000); to the Poughkeepsie city school district, two million four  
14 hundred seventy-five thousand dollars (\$2,475,000); to the Mount Vernon  
15 city school district, two million dollars (\$2,000,000); to the New  
16 Rochelle city school district, one million four hundred ten thousand  
17 dollars (\$1,410,000); to the Schenectady city school district, one  
18 million eight hundred thousand dollars (\$1,800,000); to the Port Chester  
19 city school district, one million one hundred fifty thousand dollars  
20 (\$1,150,000); to the White Plains city school district, nine hundred  
21 thousand dollars (\$900,000); to the Niagara Falls city school district,  
22 six hundred thousand dollars (\$600,000); to the Albany city school  
23 district, three million five hundred fifty thousand dollars  
24 (\$3,550,000); to the Utica city school district, two million dollars  
25 (\$2,000,000); to the Beacon city school district, five hundred sixty-six  
26 thousand dollars (\$566,000); to the Middletown city school district,  
27 four hundred thousand dollars (\$400,000); to the Freeport union free  
28 school district, four hundred thousand dollars (\$400,000); to the Green-  
29 burgh central school district, three hundred thousand dollars  
30 (\$300,000); to the Amsterdam city school district, eight hundred thou-  
31 sand dollars (\$800,000); to the Peekskill city school district, two  
32 hundred thousand dollars (\$200,000); and to the Hudson city school  
33 district, four hundred thousand dollars (\$400,000). Notwithstanding the  
34 provisions of this section, a school district receiving a grant pursuant  
35 to this section may use such grant funds for: (i) any instructional or  
36 instructional support costs associated with the operation of a magnet  
37 school; or (ii) any instructional or instructional support costs associ-  
38 ated with implementation of an alternative approach to reduction of  
39 racial isolation and/or enhancement of the instructional program and  
40 raising of standards in elementary and secondary schools of school  
41 districts having substantial concentrations of minority students. The  
42 commissioner of education shall not be authorized to withhold magnet  
43 grant funds from a school district that used such funds in accordance  
44 with this paragraph, notwithstanding any inconsistency with a request  
45 for proposals issued by such commissioner. For the purpose of attendance  
46 improvement and dropout prevention for the 2014--2015 school year, for  
47 any city school district in a city having a population of more than one  
48 million, the setaside for attendance improvement and dropout prevention  
49 shall equal the amount set aside in the base year. For the 2014--2015  
50 school year, it is further provided that any city school district in a  
51 city having a population of more than one million shall allocate at  
52 least one-third of any increase from base year levels in funds set aside  
53 pursuant to the requirements of this subdivision to community-based  
54 organizations. Any increase required pursuant to this subdivision to  
55 community-based organizations must be in addition to allocations  
56 provided to community-based organizations in the base year. For the

1 purpose of teacher support for the 2014--2015 school year: to the city  
2 school district of the city of New York, sixty-two million seven hundred  
3 seven thousand dollars (\$62,707,000); to the Buffalo city school  
4 district, one million seven hundred forty-one thousand dollars  
5 (\$1,741,000); to the Rochester city school district, one million seven-  
6 ty-six thousand dollars (\$1,076,000); to the Yonkers city school  
7 district, one million one hundred forty-seven thousand dollars  
8 (\$1,147,000); and to the Syracuse city school district, eight hundred  
9 nine thousand dollars (\$809,000). All funds made available to a school  
10 district pursuant to this section shall be distributed among teachers  
11 including prekindergarten teachers and teachers of adult vocational and  
12 academic subjects in accordance with this section and shall be in addi-  
13 tion to salaries heretofore or hereafter negotiated or made available;  
14 provided, however, that all funds distributed pursuant to this section  
15 for the current year shall be deemed to incorporate all funds distrib-  
16 uted pursuant to former subdivision 27 of section 3602 of the education  
17 law for prior years. In school districts where the teachers are repres-  
18 ented by certified or recognized employee organizations, all salary  
19 increases funded pursuant to this section shall be determined by sepa-  
20 rate collective negotiations conducted pursuant to the provisions and  
21 procedures of article 14 of the civil service law, notwithstanding the  
22 existence of a negotiated agreement between a school district and a  
23 certified or recognized employee organization.

24 S 28. Support of public libraries. The moneys appropriated for the  
25 support of public libraries by a chapter of the laws of 2014 enacting  
26 the aid to localities budget shall be apportioned for the 2014--2015  
27 state fiscal year in accordance with the provisions of sections 271,  
28 272, 273, 282, 284, and 285 of the education law as amended by the  
29 provisions of this chapter and the provisions of this section, provided  
30 that library construction aid pursuant to section 273-a of the education  
31 law shall not be payable from the appropriations for the support of  
32 public libraries and provided further that no library, library system or  
33 program, as defined by the commissioner of education, shall receive less  
34 total system or program aid than it received for the year 2001--2002  
35 except as a result of a reduction adjustment necessary to conform to the  
36 appropriations for support of public libraries.

37 Notwithstanding any other provision of law to the contrary the moneys  
38 appropriated for the support of public libraries for the year 2014--2015  
39 by a chapter of the laws of 2014 enacting the education, labor and fami-  
40 ly assistance budget shall fulfill the state's obligation to provide  
41 such aid and, pursuant to a plan developed by the commissioner of educa-  
42 tion and approved by the director of the budget, the aid payable to  
43 libraries and library systems pursuant to such appropriations shall be  
44 reduced proportionately to assure that the total amount of aid payable  
45 does not exceed the total appropriations for such purpose.

46 S 29. Severability. The provisions of this act shall be severable, and  
47 if the application of any clause, sentence, paragraph, subdivision,  
48 section or part of this act to any person or circumstance shall be  
49 adjudged by any court of competent jurisdiction to be invalid, such  
50 judgment shall not necessarily affect, impair or invalidate the applica-  
51 tion of any such clause, sentence, paragraph, subdivision, section, part  
52 of this act or remainder thereof, as the case may be, to any other  
53 person or circumstance, but shall be confined in its operation to the  
54 clause, sentence, paragraph, subdivision, section or part thereof  
55 directly involved in the controversy in which such judgment shall have  
56 been rendered.

1 S 30. This act shall take effect immediately, and shall be deemed to  
2 have been in full force and effect on and after April 1, 2014, provided,  
3 however, that:

4 1. Sections one, two, three, four, five, seven, nine, twelve, thir-  
5 teen, seventeen, twenty-two, twenty-six and twenty-seven of this act  
6 shall take effect July 1, 2014.

7 2. The amendments to subdivision 6 of section 4402 of the education  
8 law made by section nine of this act shall not affect the repeal of such  
9 subdivision and shall be deemed repealed therewith.

10 3. Section eleven of this act shall take effect April 1, 2014 and  
11 shall first apply to the provision of services and programs pursuant to  
12 section 4410 of the education law in the 2014-2015 school year, provided  
13 that the provisions of subparagraph (iv) of paragraph a of subdivision  
14 10 of section 4410 of the education law, as added by such section of  
15 this act, shall expire and be deemed repealed June 30, 2019.

16 4. The amendments to chapter 756 of the laws of 1992, relating to  
17 funding a program for work force education conducted by a consortium for  
18 worker education in New York city, made by sections twelve and thirteen  
19 of this act shall not affect the repeal of such chapter and shall be  
20 deemed repealed therewith.

21 5. Section sixteen of this act shall take effect immediately and shall  
22 be deemed to have been in full force and effect on and after the effec-  
23 tive date of section 140 of chapter 82 of the laws of 1995.

24 6. Section twenty-five of this act shall expire and be deemed repealed  
25 June 30, 2015.

26 PART B

27 Section 1. The smart schools bond act of 2014 is enacted to read as  
28 follows:

29 SMART SCHOOLS BOND ACT OF 2014

30 Section 1. Short title.

31 2. Creation of a state debt.

32 3. Bonds of the state.

33 4. Use of moneys received.

34 Section 1. Short title. This act shall be known and may be cited as the  
35 "smart schools bond act of 2014".

36 S 2. Creation of a state debt. The creation of a state debt in an  
37 amount not exceeding in the aggregate two billion dollars  
38 (\$2,000,000,000) is hereby authorized to provide moneys for the single  
39 purpose of improving learning and opportunity for public school students  
40 of the state by funding capital projects to: acquire learning technology  
41 equipment or facilities including, but not limited to, interactive  
42 whiteboards, computer servers, and desktop, laptop and tablet computers;  
43 install high-speed broadband or wireless internet connectivity for  
44 schools and communities; and construct, enhance, and modernize educa-  
45 tional facilities to accommodate pre-kindergarten programs. The legisla-  
46 ture may, by appropriate legislation and subject to such conditions as  
47 it may impose, make available out of the proceeds of the sale of bonds  
48 authorized in this act, moneys disbursed or to be disbursed for the cost  
49 of approved capital projects undertaken by, or on behalf of, school  
50 districts for such purposes.

51 S 3. Bonds of the state. The state comptroller is hereby authorized  
52 and empowered to issue and sell bonds of the state up to the aggregate

1 amount of two billion dollars (\$2,000,000,000) for the purposes of this  
2 act, subject to the provisions of article five of the state finance law.  
3 The aggregate principal amount of such bonds shall not exceed two  
4 billion dollars (\$2,000,000,000) excluding bonds issued to refund or  
5 otherwise repay bonds heretofore issued for such purpose; provided,  
6 however, that upon any such refunding or repayment, the total aggregate  
7 principal amount of outstanding bonds may be greater than two billion  
8 dollars (\$2,000,000,000) only if the present value of the aggregate debt  
9 service of the refunding or repayment bonds to be issued shall not  
10 exceed the present value of the aggregate debt service of the bonds to  
11 be refunded or repaid. The method for calculating present value shall be  
12 determined by law.

13 S 4. Use of moneys received. The moneys received by the state from the  
14 sale of bonds sold pursuant to this act shall be expended pursuant to  
15 appropriations for capital projects related to design, planning, site  
16 acquisition, demolition, construction, reconstruction, rehabilitation,  
17 or acquisition and/or installation of equipment for the following types  
18 of projects: capital projects related to educational technology equip-  
19 ment or facilities including but not limited to interactive whiteboards;  
20 computer servers; desktop and laptop computers, and tablets; high-speed  
21 broadband or wireless internet connectivity for schools and communities;  
22 and capital projects to construct, enhance or modernize educational  
23 facilities to accommodate pre-kindergarten programs.

24 S 2. This act shall take effect immediately, provided that the  
25 provisions of section one of this act shall not take effect unless and  
26 until this act shall have been submitted to the people at the general  
27 election to be held in November 2014 and shall have been approved by a  
28 majority of all votes cast for and against it at such election. Upon  
29 approval by the people, section one of this act shall take effect imme-  
30 diately. The ballots to be furnished for the use of voters upon  
31 submission of this act shall be in the form prescribed by the election  
32 law and the proposition or question to be submitted shall be printed  
33 thereon in substantially the following form, namely "The SMART SCHOOLS  
34 BOND ACT OF 2014, as set forth in section one of part B of chapter (here  
35 insert the chapter number) of the laws of 2014, authorizes the sale of  
36 state bonds of up to two billion dollars (\$2,000,000,000) to provide  
37 access to classroom technology and high-speed internet connectivity to  
38 equalize opportunities for children to learn and to add classroom space  
39 to expand high-quality pre-kindergarten programs. Shall the SMART  
40 SCHOOLS BOND ACT OF 2014 be approved?".

41

## PART C

42 Section 1. This act shall be known and may be cited as the "smart  
43 schools implementation act of 2014".

44 S 2. Section 3641 of the education law is amended by adding a new  
45 subdivision 16 to read as follows:

46 16. IMPLEMENTATION OF THE SMART SCHOOLS BOND ACT OF 2014. A. DEFI-  
47 NITIONS. THE FOLLOWING TERMS, WHENEVER USED OR REFERRED TO IN THIS  
48 SUBDIVISION, UNLESS THE CONTEXT INDICATES OTHERWISE, SHALL HAVE THE  
49 FOLLOWING MEANINGS:

50 (1) "BONDS" SHALL MEAN GENERAL OBLIGATION BONDS ISSUED PURSUANT TO THE  
51 "SMART SCHOOLS BOND ACT OF 2014" IN ACCORDANCE WITH ARTICLE VII OF THE  
52 NEW YORK STATE CONSTITUTION AND ARTICLE FIVE OF THE STATE FINANCE LAW.



1 (2) "SMART SCHOOLS REVIEW BOARD" SHALL MEAN A BODY COMPRISED OF THE  
2 CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK, THE DIRECTOR OF THE  
3 BUDGET, AND THE COMMISSIONER, OR THEIR RESPECTIVE DESIGNEES.

4 (3) "SMART SCHOOLS INVESTMENT PLAN" SHALL MEAN A DOCUMENT PREPARED BY  
5 A SCHOOL DISTRICT SETTING FORTH THE SMART SCHOOLS PROJECT OR PROJECTS TO  
6 BE UNDERTAKEN WITH SUCH DISTRICT'S SMART SCHOOLS ALLOCATION.

7 (4) "SMART SCHOOLS PROJECT" SHALL MEAN A CAPITAL PROJECT AS SET FORTH  
8 AND DEFINED IN SUBPARAGRAPHS FIVE, SIX, OR SEVEN OF THIS PARAGRAPH.

9 (5) "PRE-KINDERGARTEN PROJECT" SHALL MEAN A CAPITAL PROJECT WHICH, AS  
10 A PRIMARY PURPOSE, EXPANDS THE AVAILABILITY OF ADEQUATE AND APPROPRIATE  
11 INSTRUCTIONAL SPACE FOR PRE-KINDERGARTEN.

12 (6) "COMMUNITY CONNECTIVITY PROJECT" SHALL MEAN A CAPITAL PROJECT  
13 WHICH, AS A PRIMARY PURPOSE, EXPANDS HIGH-SPEED BROADBAND OR WIRELESS  
14 INTERNET CONNECTIVITY IN THE LOCAL COMMUNITY, INCLUDING SCHOOL BUILDINGS  
15 AND CAMPUSES, FOR ENHANCED EDUCATIONAL OPPORTUNITY IN THE STATE.

16 (7) "CLASSROOM TECHNOLOGY PROJECT" SHALL MEAN A CAPITAL PROJECT TO  
17 EXPAND HIGH-SPEED BROADBAND OR WIRELESS INTERNET CONNECTIVITY SOLELY FOR  
18 SCHOOL BUILDINGS AND CAMPUSES, OR TO ACQUIRE LEARNING TECHNOLOGY HARD-  
19 WARE FOR SCHOOLS, CLASSROOMS, AND STUDENT USE, INCLUDING BUT NOT LIMITED  
20 TO WHITEBOARDS, COMPUTER SERVERS, DESKTOP COMPUTERS, LAPTOP COMPUTERS,  
21 AND TABLET COMPUTERS.

22 (8) "SELECTED SCHOOL AID" SHALL MEAN THE SUM OF THE AMOUNTS SET FORTH  
23 AS "FOUNDATION AID", "FULL DAY K CONVERSION", "BOCES", "SPECIAL  
24 SERVICES", "HIGH COST EXCESS COST", "PRIVATE EXCESS COST", "HARDWARE &  
25 TECHNOLOGY", "SOFTWARE, LIBRARY, TEXTBOOK", "TRANSPORTATION INCL  
26 SUMMER", "OPERATING REORG INCENTIVE", "CHARTER SCHOOL TRANSITIONAL",  
27 "ACADEMIC ENHANCEMENT", "HIGH TAX AID", AND "SUPPLEMENTAL PUB EXCESS  
28 COST" UNDER THE HEADING "2013-14 BASE YEAR AIDS" IN THE SCHOOL AID  
29 COMPUTER LISTING PRODUCED BY THE COMMISSIONER IN SUPPORT OF THE EXECU-  
30 TIVE BUDGET PROPOSAL FOR THE TWO THOUSAND FOURTEEN-FIFTEEN SCHOOL YEAR.

31 (9) "SMART SCHOOLS ALLOCATION" SHALL MEAN, FOR EACH SCHOOL DISTRICT,  
32 THE PRODUCT OF (I) TWO BILLION DOLLARS (\$2,000,000,000) MULTIPLIED BY  
33 (II) THE QUOTIENT OF SUCH SCHOOL DISTRICT'S SELECTED SCHOOL AID DIVIDED  
34 BY THE TOTAL SELECTED SCHOOL AID TO ALL SCHOOL DISTRICTS.

35 B. SMART SCHOOLS INVESTMENT PLANS. (1) THE SMART SCHOOLS REVIEW BOARD  
36 SHALL ISSUE GUIDELINES SETTING FORTH REQUIRED COMPONENTS AND ELIGIBILITY  
37 CRITERIA FOR SMART SCHOOLS INVESTMENT PLANS TO BE SUBMITTED BY SCHOOL  
38 DISTRICTS. SUCH GUIDELINES SHALL INCLUDE BUT NOT BE LIMITED TO: (I) A  
39 TIMELINE FOR SCHOOL DISTRICT SUBMISSION OF SMART SCHOOLS INVESTMENT  
40 PLANS; (II) ANY REQUIREMENTS FOR THE USE OF AVAILABLE STATE PROCUREMENT  
41 OPTIONS WHERE APPLICABLE; AND (III) ANY LIMITATIONS ON THE AMOUNT OF A  
42 DISTRICT'S SMART SCHOOLS ALLOCATION THAT MAY BE USED FOR ASSETS WITH A  
43 SHORT PROBABLE LIFE.

44 (2) NO SCHOOL DISTRICT SHALL BE ENTITLED TO A SMART SCHOOLS GRANT  
45 UNTIL SUCH DISTRICT SHALL HAVE SUBMITTED A SMART SCHOOLS INVESTMENT PLAN  
46 TO THE SMART SCHOOLS REVIEW BOARD AND RECEIVED SUCH BOARD'S APPROVAL OF  
47 SUCH INVESTMENT PLAN. IN DEVELOPING SUCH INVESTMENT PLAN, SCHOOL  
48 DISTRICTS SHALL CONSULT WITH PARENTS, TEACHERS, STUDENTS, COMMUNITY  
49 MEMBERS AND OTHER STAKEHOLDERS.

50 (3) THE SMART SCHOOLS REVIEW BOARD SHALL REVIEW ALL SMART SCHOOLS  
51 INVESTMENT PLANS FOR COMPLIANCE WITH ALL ELIGIBILITY CRITERIA AND OTHER  
52 REQUIREMENTS SET FORTH IN THE GUIDELINES. THE SMART SCHOOLS REVIEW BOARD  
53 MAY APPROVE OR REJECT SUCH PLANS, OR MAY RETURN SUCH PLANS TO THE SCHOOL  
54 DISTRICT FOR MODIFICATIONS. UPON APPROVAL, THE SMART SCHOOLS PROJECT OR  
55 PROJECTS DESCRIBED IN THE INVESTMENT PLAN SHALL BE ELIGIBLE FOR SMART  
56 SCHOOLS GRANTS. A SMART SCHOOLS PROJECT INCLUDED IN A SCHOOL DISTRICT'S

1 SMART SCHOOLS INVESTMENT PLAN SHALL NOT REQUIRE SEPARATE APPROVAL OF THE  
2 COMMISSIONER UNLESS IT IS PART OF A SCHOOL CONSTRUCTION PROJECT REQUIRED  
3 TO BE SUBMITTED FOR APPROVAL OF THE COMMISSIONER PURSUANT TO SECTION  
4 FOUR HUNDRED EIGHT OF THIS CHAPTER AND/OR SUBDIVISION SIX OF SECTION  
5 THIRTY-SIX HUNDRED TWO OF THIS ARTICLE. ANY DEPARTMENT, AGENCY OR PUBLIC  
6 AUTHORITY SHALL PROVIDE THE SMART SCHOOLS REVIEW BOARD WITH ANY INFORMA-  
7 TION IT REQUIRES TO FULFILL ITS DUTIES PURSUANT TO THIS SUBDIVISION.

8 (4) ANY AMENDMENTS OR SUPPLEMENTS TO A SMART SCHOOL INVESTMENT PLAN  
9 MUST BE SUBMITTED TO THE SMART SCHOOLS REVIEW BOARD FOR APPROVAL, AND  
10 SHALL NOT TAKE EFFECT UNTIL SUCH APPROVAL IS GRANTED.

11 C. EXPENDITURE OF MONEY. (1) SMART SCHOOLS GRANTS. EACH SCHOOL  
12 DISTRICT WHICH HAS AN APPROVED SMART SCHOOLS INVESTMENT PLAN INCLUDING A  
13 SMART SCHOOLS PROJECT OR PROJECTS SHALL BE ENTITLED TO A GRANT OR GRANTS  
14 FOR THE SMART SCHOOLS PROJECT OR PROJECTS INCLUDED THEREIN IN AN AMOUNT,  
15 WHETHER IN THE AGGREGATE OR OTHERWISE, NOT TO EXCEED THE SMART SCHOOLS  
16 ALLOCATION CALCULATED FOR SUCH SCHOOL DISTRICT. THE AMOUNT OF SUCH ALLO-  
17 CATION NOT EXPENDED, DISBURSED OR ENCUMBERED FOR ANY SCHOOL YEAR SHALL  
18 BE CARRIED OVER FOR EXPENDITURE AND DISBURSEMENT TO THE NEXT SUCCEEDING  
19 SCHOOL YEAR. EXPENDITURES FROM THE SMART SCHOOLS ALLOCATION SHALL NOT BE  
20 ELIGIBLE FOR AID UNDER ANY OTHER PROVISION OF THIS CHAPTER.

21 (2) THE AMOUNTS DETERMINED PURSUANT TO THIS SUBDIVISION TO BE PAID TO  
22 SCHOOL DISTRICTS SHALL BE CERTIFIED BY THE COMMISSIONER IN ACCORDANCE  
23 WITH THIS SUBDIVISION. IF, UPON THE OPTION OF A SCHOOL DISTRICT, A SMART  
24 SCHOOLS INVESTMENT PLAN DIRECTS THAT AN AMOUNT BE TRANSFERRED OR SUBAL-  
25 LOCATED TO A DEPARTMENT, AGENCY, OR PUBLIC AUTHORITY TO BE SPENT ON  
26 BEHALF OF THE SCHOOL DISTRICT, SUCH AMOUNTS SHALL BE TRANSFERRED OR  
27 SUBALLOCATED, CONSISTENT WITH SUCH PLAN, UPON THE APPROVAL OF THE DIREC-  
28 TOR OF THE BUDGET. THE AMOUNTS OF MONEY SO CERTIFIED OR MADE AVAILABLE  
29 SHALL BE PAID BY THE COMPTROLLER IN ACCORDANCE WITH APPROPRIATIONS  
30 THEREFOR, PROVIDED, HOWEVER, THAT THE PAYMENT SCHEDULE SET FORTH IN  
31 SUBDIVISION ONE OF THIS SECTION SHALL NOT APPLY TO SUCH PAYMENTS. SUCH  
32 PAYMENT SHALL FULFILL ANY OBLIGATION OF THE STATE OR THE COMMISSIONER TO  
33 APPORTION FUNDS PURSUANT TO THIS SUBDIVISION, AND WHENEVER A SCHOOL  
34 DISTRICT HAS BEEN APPORTIONED MORE MONEY PURSUANT TO THIS SUBDIVISION  
35 THAN THAT TO WHICH IT IS ENTITLED, THE COMMISSIONER MAY DEDUCT SUCH  
36 AMOUNT FROM THE NEXT APPORTIONMENT TO BE MADE TO SUCH SCHOOL DISTRICT.

37 D. CONSISTENCY WITH FEDERAL TAX LAW. ALL ACTIONS TAKEN PURSUANT TO  
38 THIS SUBDIVISION SHALL BE REVIEWED FOR CONSISTENCY WITH PROVISIONS OF  
39 THE FEDERAL INTERNAL REVENUE CODE AND REGULATIONS THEREUNDER, IN ACCORD-  
40 ANCE WITH PROCEDURES ESTABLISHED IN CONNECTION WITH THE ISSUANCE OF ANY  
41 TAX EXEMPT BONDS PURSUANT TO THIS SUBDIVISION, TO PRESERVE THE TAX  
42 EXEMPT STATUS OF SUCH BONDS.

43 E. COMPLIANCE WITH OTHER LAW. EVERY RECIPIENT OF FUNDS TO BE MADE  
44 AVAILABLE PURSUANT TO THIS SUBDIVISION SHALL COMPLY WITH ALL APPLICABLE  
45 STATE, FEDERAL AND LOCAL LAWS.

46 S 3. The state finance law is amended by adding a new section 97-0000  
47 to read as follows:

48 S 97-0000. SMART SCHOOLS BOND FUND. 1. THERE IS HEREBY ESTABLISHED IN  
49 THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXA-  
50 TION AND FINANCE A SPECIAL FUND TO BE KNOWN AS THE "SMART SCHOOLS BOND  
51 FUND".

52 2. THE STATE COMPTROLLER SHALL DEPOSIT INTO THE SMART SCHOOLS BOND  
53 FUND ALL MONEYS RECEIVED BY THE STATE FROM THE SALE OF BONDS AND/OR  
54 NOTES FOR USES ELIGIBLE PURSUANT TO SECTION FOUR OF THE SMART SCHOOLS  
55 BOND ACT OF 2014.

1 3. MONEYS IN THE SMART SCHOOLS BOND FUND, FOLLOWING APPROPRIATION BY  
2 THE LEGISLATURE AND ALLOCATION BY THE DIRECTOR OF THE BUDGET, SHALL BE  
3 AVAILABLE ONLY FOR REIMBURSEMENT OF EXPENDITURES MADE FROM APPROPRI-  
4 ATIONS FROM THE CAPITAL PROJECTS FUND FOR THE PURPOSE OF THE SMART  
5 SCHOOLS BOND FUND, AS SET FORTH IN THE SMART SCHOOLS BOND ACT OF 2014.

6 4. NO MONEYS RECEIVED BY THE STATE FROM THE SALE OF BONDS AND/OR NOTES  
7 SOLD PURSUANT TO THE SMART SCHOOLS BOND ACT OF 2014 SHALL BE EXPENDED  
8 FOR ANY PROJECT UNTIL FUNDS THEREFOR HAVE BEEN ALLOCATED PURSUANT TO THE  
9 PROVISIONS OF THIS SECTION AND COPIES OF THE APPROPRIATE CERTIFICATES OF  
10 APPROVAL FILED WITH THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE CHAIR  
11 OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND THE STATE COMPTROLLER.

12 S 4. Section 61 of the state finance law is amended by adding a new  
13 subdivision 31 to read as follows:

14 SMART SCHOOLS PROJECTS

15 31. THIRTY YEARS. FOR THE PAYMENT OF SMART SCHOOLS PROJECTS, INCLUDING  
16 BUT NOT LIMITED TO PRE-KINDERGARTEN PROJECTS, COMMUNITY CONNECTIVITY  
17 PROJECTS, AND CLASSROOM TECHNOLOGY PROJECTS, ALL AS DEFINED IN SUBDIVI-  
18 SION SIXTEEN OF SECTION THIRTY-SIX HUNDRED FORTY-ONE OF THE EDUCATION  
19 LAW AND UNDERTAKEN PURSUANT TO A CHAPTER OF THE LAWS OF TWO THOUSAND  
20 FOURTEEN, ENACTING AND CONSTITUTING THE SMART SCHOOLS BOND ACT OF 2014.  
21 THIRTY YEARS FOR PRE-KINDERGARTEN PROJECTS, TWENTY YEARS FOR COMMUNITY  
22 CONNECTIVITY PROJECTS, AND EIGHT YEARS FOR CLASSROOM TECHNOLOGY  
23 PROJECTS. NOTWITHSTANDING THE FOREGOING, FOR THE PURPOSES OF CALCULATING  
24 ANNUAL DEBT SERVICE, THE STATE COMPTROLLER SHALL APPLY A WEIGHTED AVER-  
25 AGE PERIOD OF PROBABLE LIFE OF SUCH SMART SCHOOLS PROJECTS, INCLUDING  
26 WITH ANY OTHER WORKS OR PURPOSES TO BE FINANCED WITH STATE DEBT. WEIGHT-  
27 ED AVERAGE PERIOD OF PROBABLE LIFE SHALL BE DETERMINED BY COMPUTING THE  
28 SUM OF THE PRODUCTS DERIVED FROM MULTIPLYING THE DOLLAR VALUE OF THE  
29 PORTION OF THE DEBT CONTRACTED FOR EACH WORK OR PURPOSE (OR CLASS OF  
30 WORKS OR PURPOSES) BY THE PROBABLE LIFE OF SUCH WORK OR PURPOSE (OR  
31 CLASS OF WORKS OR PURPOSES) AND DIVIDING THE RESULTING SUM BY THE DOLLAR  
32 VALUE OF THE ENTIRE DEBT AFTER TAKING INTO CONSIDERATION ANY ORIGINAL  
33 ISSUE PREMIUM OR DISCOUNT.

34 S 5. If any clause, sentence, paragraph, section or part of this act  
35 shall be adjudged by any court of competent jurisdiction to be invalid,  
36 such judgment shall not affect, impair or invalidate the remainder ther-  
37 eof, but shall be confined in its operation to the clause, sentence,  
38 paragraph, section or part thereof directly involved in the controversy  
39 in which such judgment shall have been rendered.

40 S 6. This act shall take effect only in the event that section 1 of  
41 part B of a chapter of the laws of 2014, enacting the "smart schools  
42 bond act of 2014," is submitted to the people at the general election to  
43 be held in November 2014 and is approved by a majority of all votes cast  
44 for and against it at such election. Upon such approval, this act shall  
45 take effect immediately. Effective immediately, the addition, amendment,  
46 and/or repeal of any rule or regulation necessary for the implementation  
47 of the foregoing sections of this act are authorized and directed to be  
48 made and completed on or before such effective date.

49 PART D

50 Section 1. Short title. This act shall be known and may be cited as  
51 the "nurse practitioners modernization act".

52 S 2. Subdivision 3 of section 6902 of the education law, as added by  
53 chapter 257 of the laws of 1988, is amended to read as follows:

1 3. (a) (I) The practice of registered professional nursing by a nurse  
2 practitioner, certified under section six thousand nine hundred ten of  
3 this article, may include the diagnosis of illness and physical condi-  
4 tions and the performance of therapeutic and corrective measures within  
5 a specialty area of practice, in collaboration with a licensed physician  
6 qualified to collaborate in the specialty involved, provided such  
7 services are performed in accordance with a written practice agreement  
8 and written practice protocols EXCEPT AS PERMITTED BY PARAGRAPH (B) OF  
9 THIS SUBDIVISION. The written practice agreement shall include explicit  
10 provisions for the resolution of any disagreement between the collab-  
11 orating physician and the nurse practitioner regarding a matter of diag-  
12 nosis or treatment that is within the scope of practice of both. To the  
13 extent the practice agreement does not so provide, then the collaborat-  
14 ing physician's diagnosis or treatment shall prevail.

15 [(b)] (II) IN THE EVENT THAT (A) AN EXISTING WRITTEN PRACTICE AGREE-  
16 MENT WITH A COLLABORATING PHYSICIAN TERMINATES AS A RESULT OF: THE  
17 COLLABORATING PHYSICIAN MOVING, RETIRING, NO LONGER NEEDING THE SERVICES  
18 OF THE NURSE PRACTITIONER, NO LONGER BEING QUALIFIED TO PRACTICE; OR THE  
19 WRITTEN PRACTICE AGREEMENT TERMINATING DUE TO NO FAULT ON THE PART OF  
20 THE NURSE PRACTITIONER; AND (B) THE NURSE PRACTITIONER DEMONSTRATES THAT  
21 HE OR SHE HAS MADE A GOOD FAITH EFFORT TO ENTER INTO A NEW WRITTEN PRACTICE  
22 AGREEMENT WITH A COLLABORATING PHYSICIAN AND HAS BEEN UNABLE TO DO  
23 SO, THEN UPON APPROVAL BY THE DEPARTMENT, SUCH NURSE PRACTITIONER MAY  
24 CONTINUE TO PRACTICE PURSUANT TO THIS PARAGRAPH WITHIN A SPECIALTY AREA  
25 OF PRACTICE FOR A PERIOD OF UP TO SIX MONTHS, IN COLLABORATION WITH A  
26 NURSE PRACTITIONER WHO HAS BEEN CERTIFIED UNDER SECTION SIX THOUSAND  
27 NINE HUNDRED TEN OF THIS ARTICLE, WHO HAS BEEN PRACTICING FOR MORE THAN  
28 THREE THOUSAND SIX HUNDRED HOURS AND WHO IS QUALIFIED TO COLLABORATE IN  
29 THE SPECIALTY INVOLVED, PROVIDED THAT SERVICES ARE PERFORMED IN ACCORD-  
30 ANCE WITH A WRITTEN PRACTICE AGREEMENT AND WRITTEN PRACTICE PROTOCOLS;  
31 SUCH SIX MONTH TIME PERIOD FOR COLLABORATION BETWEEN NURSE PRACTITIONERS  
32 MAY BE EXTENDED FOR A PERIOD OF TIME NOT TO EXCEED AN ADDITIONAL SIX  
33 MONTHS UPON A SHOWING OF GOOD CAUSE SUBJECT TO THE APPROVAL OF THE  
34 DEPARTMENT.

35 (III) Prescriptions for drugs, devices and immunizing agents may be  
36 issued by a nurse practitioner, under this [subdivision] PARAGRAPH and  
37 section six thousand nine hundred ten of this article, in accordance  
38 with the practice agreement and practice protocols EXCEPT AS PERMITTED  
39 BY PARAGRAPH (B) OF THIS SUBDIVISION. The nurse practitioner shall  
40 obtain a certificate from the department upon successfully completing a  
41 program including an appropriate pharmacology component, or its equiv-  
42 alent, as established by the commissioner's regulations, prior to  
43 prescribing under this [subdivision] PARAGRAPH. The certificate issued  
44 under section six thousand nine hundred ten of this article shall state  
45 whether the nurse practitioner has successfully completed such a program  
46 or equivalent and is authorized to prescribe under this [subdivision]  
47 PARAGRAPH.

48 [(c)] (IV) Each practice agreement shall provide for patient records  
49 review by the collaborating physician OR, WHERE APPLICABLE, THE COLLAB-  
50 ORATING NURSE PRACTITIONER, in a timely fashion but in no event less  
51 often than every three months. The names of the nurse practitioner and  
52 the collaborating physician OR, WHERE APPLICABLE, THE COLLABORATING  
53 NURSE PRACTITIONER shall be clearly posted in the practice setting of  
54 the nurse practitioner.

55 [(d)] (V) The practice protocol shall reflect current accepted medical  
56 and nursing practice, OR FOR COLLABORATIONS WITH ANOTHER NURSE PRACTI-

1 TIONER PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE CURRENT  
2 ACCEPTED NURSING PRACTICE. The protocols shall be filed with the  
3 department within ninety days of the commencement of the practice and  
4 may be updated periodically. The commissioner shall make regulations  
5 establishing the procedure for the review of protocols and the disposi-  
6 tion of any issues arising from such review.

7 [(e)] (VI) No physician OR, WHERE APPLICABLE, NURSE PRACTITIONER,  
8 shall enter into practice agreements with more than four nurse practi-  
9 tioners who are not located on the same physical premises as the collab-  
10 orating physician OR COLLABORATING NURSE PRACTITIONER.

11 [(f)] (B) NOTWITHSTANDING SUBPARAGRAPH (I) OF PARAGRAPH (A) OF THIS  
12 SUBDIVISION, A NURSE PRACTITIONER, CERTIFIED UNDER SECTION SIXTY-NINE  
13 HUNDRED TEN OF THIS ARTICLE AND PRACTICING FOR MORE THAN THREE THOUSAND  
14 SIX HUNDRED HOURS MAY COMPLY WITH THIS PARAGRAPH IN LIEU OF COMPLYING  
15 WITH THE REQUIREMENTS OF PARAGRAPH (A) OF THIS SUBDIVISION RELATING TO  
16 COLLABORATION WITH A PHYSICIAN, A WRITTEN PRACTICE AGREEMENT AND WRITTEN  
17 PRACTICE PROTOCOLS. A NURSE PRACTITIONER COMPLYING WITH THIS PARAGRAPH  
18 SHALL HAVE COLLABORATIVE RELATIONSHIPS WITH ONE OR MORE LICENSED PHYSI-  
19 CIANS QUALIFIED TO COLLABORATE IN THE SPECIALTY INVOLVED OR A HOSPITAL,  
20 LICENSED UNDER ARTICLE TWENTY-EIGHT OF THE PUBLIC HEALTH LAW, THAT  
21 PROVIDES SERVICES THROUGH LICENSED PHYSICIANS QUALIFIED TO COLLABORATE  
22 IN THE SPECIALTY INVOLVED AND HAVING PRIVILEGES AT SUCH INSTITUTION. THE  
23 NURSE PRACTITIONER SHALL DOCUMENT SUCH COLLABORATIVE RELATIONSHIPS IN A  
24 MANNER REQUIRED BY THE DEPARTMENT, WHICH IDENTIFIES THE NAME AND MEDICAL  
25 LICENSE NUMBER OF EACH PHYSICIAN OR HOSPITAL, AS APPLICABLE, WITH WHOM  
26 THE NURSE PRACTITIONER IS COLLABORATING, AND THE NURSE PRACTITIONER  
27 ATTESTS THAT THE PHYSICIAN OR HOSPITAL IS AWARE OF AND HAS AGREED TO  
28 MAINTAIN A COLLABORATIVE RELATIONSHIP WITH THE NURSE PRACTITIONER.

29 (C) Nothing in this subdivision shall be deemed to limit or diminish  
30 the practice of the profession of nursing as a registered professional  
31 nurse under this article or any other law, rule, regulation or certifi-  
32 cation, nor to deny any registered professional nurse the right to do  
33 any act or engage in any practice authorized by this article or any  
34 other law, rule, regulation or certification.

35 [(g)] (D) The provisions of this subdivision shall not apply to any  
36 activity authorized, pursuant to statute, rule or regulation, to be  
37 performed by a registered professional nurse in a hospital as defined in  
38 article twenty-eight of the public health law.

39 (E) IN CONJUNCTION WITH AND AS A CONDITION OF EACH TRIENNIAL REGISTRA-  
40 TION, THE DEPARTMENT SHALL COLLECT AND A NURSE PRACTITIONER SHALL  
41 PROVIDE SUCH INFORMATION AND DOCUMENTATION REQUIRED BY THE DEPARTMENT,  
42 IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, AS NECESSARY TO ENABLE  
43 THE DEPARTMENT OF HEALTH TO EVALUATE ACCESS TO NEEDED SERVICES IN THIS  
44 STATE, INCLUDING BUT NOT LIMITED TO THE LOCATION AND TYPE OF SETTING  
45 WHEREIN THE NURSE PRACTITIONER PRACTICES; IF THE NURSE PRACTITIONER HAS  
46 PRACTICED FOR FEWER THAN THREE THOUSAND SIX HUNDRED HOURS AND IS PRAC-  
47 TICING PURSUANT TO A WRITTEN PRACTICE AGREEMENT WITH A PHYSICIAN; IF THE  
48 NURSE PRACTITIONER PRACTICES PURSUANT TO A WRITTEN PRACTICE AGREEMENT  
49 WITH A NURSE PRACTITIONER FOR SIX MONTHS AND IF THE WRITTEN PRACTICE  
50 AGREEMENT HAS BEEN EXTENDED FOR AN ADDITIONAL SIX MONTHS UPON A SHOWING  
51 OF GOOD CAUSE SUBJECT TO THE APPROVAL OF THE DEPARTMENT; IF THE NURSE  
52 PRACTITIONER PRACTICES PURSUANT TO COLLABORATIVE RELATIONSHIPS WITH A  
53 PHYSICIAN OR HOSPITAL; AND OTHER INFORMATION THE DEPARTMENT, IN CONSUL-  
54 TATION WITH THE DEPARTMENT OF HEALTH, DEEMS RELEVANT.

55 S 3. This act shall take effect on the first of January after it shall  
56 have become a law; provided, however, that effective immediately, the

1 addition, amendment and/or repeal of any rule or regulation necessary  
2 for the implementation of this act on its effective date is authorized  
3 and directed to be made and completed on or before such effective date.

4 PART E

5 Section 1. Section 11 of the education law is amended by adding a new  
6 subdivision 9 to read as follows:

7 9. "PATTERN OF HARASSMENT, BULLYING OR DISCRIMINATION" SHALL MEAN  
8 MULTIPLE INCIDENTS OF HARASSMENT, BULLYING OR DISCRIMINATION INVOLVING  
9 ONE OR MORE KNOWN OR UNKNOWN PERPETRATORS AGAINST A PARTICULAR CLASS OR  
10 CLASSES OF PERSONS BASED ON THEIR ACTUAL OR PERCEIVED RACE, COLOR,  
11 WEIGHT, NATIONAL ORIGIN, ETHNIC GROUP, RELIGION, RELIGIOUS PRACTICE,  
12 DISABILITY, SEXUAL ORIENTATION, GENDER OR SEX.

13 S 2. Paragraph d of subdivision 1 of section 13 of the education law,  
14 as added by chapter 102 of the laws of 2012, is amended to read as  
15 follows:

16 d. require the principal, superintendent or the principal's or super-  
17 intendent's designee to lead or supervise the thorough investigation of  
18 all reports of harassment, bullying and discrimination, and to ensure  
19 that such investigation is completed promptly after receipt of any writ-  
20 ten reports made under this section. IF THE PRINCIPAL OR SUPERINTENDENT  
21 DESIGNATES AN INDIVIDUAL TO LEAD AND SUPERVISE SUCH INVESTIGATION AND  
22 THE INVESTIGATION REVEALS VERIFIED HARASSMENT, BULLYING OR DISCRIMI-  
23 NATION, THE PRINCIPAL'S OR SUPERINTENDENT'S DESIGNEE SHALL PROMPTLY  
24 FORWARD ANY DETERMINATIONS OF VERIFIED HARASSMENT, BULLYING OR DISCRIMI-  
25 NATION DIRECTLY TO THE PRINCIPAL OR SUPERINTENDENT, OR BOTH, AS DETER-  
26 MINED BY THE SCHOOL DISTRICT;

27 S 3. Paragraphs e, f, g, h, i, j, k and l of subdivision 1 of section  
28 13 of the education law are relettered paragraphs g, h, i, j, k, l, m  
29 and n and two new paragraphs e and f are added to read as follows:

30 E. REQUIRE, AS PART OF THE INVESTIGATION UNDERTAKEN PURSUANT TO PARA-  
31 GRAPH D OF THIS SUBDIVISION, THE PRINCIPAL, SUPERINTENDENT OR THE PRIN-  
32 CIPAL'S OR SUPERINTENDENT'S DESIGNEE TO ALSO INVESTIGATE AND DETERMINE  
33 IF EACH VERIFIED INCIDENT IS PART OF A PATTERN OF HARASSMENT, BULLYING  
34 OR DISCRIMINATION. IF THE PRINCIPAL OR SUPERINTENDENT DESIGNATES AN  
35 INDIVIDUAL TO LEAD AND SUPERVISE SUCH INVESTIGATION, THE PRINCIPAL'S OR  
36 SUPERINTENDENT'S DESIGNEE SHALL PROMPTLY FORWARD ANY SUCH DETERMI-  
37 NATIONS, WHETHER OR NOT THEY FIND A PATTERN OF HARASSMENT, BULLYING OR  
38 DISCRIMINATION, DIRECTLY TO THE PRINCIPAL OR SUPERINTENDENT, OR BOTH, AS  
39 DETERMINED BY THE SCHOOL DISTRICT; SUCH OFFICIAL OR OFFICIALS, IN TURN,  
40 SHALL PROMPTLY UNDERTAKE AN INDEPENDENT REVIEW OF EACH DETERMINATION TO  
41 DETERMINE IF THE VERIFIED INCIDENT IS PART OF SUCH A PATTERN OF HARASS-  
42 MENT, BULLYING OR DISCRIMINATION;

43 F. REQUIRE THE PRINCIPAL OR SUPERINTENDENT TO PROMPTLY REPORT TO THE  
44 COMMISSIONER, THE DIVISION OF HUMAN RIGHTS AND THE DIVISION OF STATE  
45 POLICE, (I) ANY INVESTIGATION WHERE A DETERMINATION IS MADE BY EITHER  
46 THE PRINCIPAL, SUPERINTENDENT OR THE PRINCIPAL'S OR SUPERINTENDENT'S  
47 DESIGNEE THAT A VERIFIED INCIDENT OF HARASSMENT, BULLYING OR DISCRIMI-  
48 NATION IS PART OF A PATTERN OF HARASSMENT, BULLYING OR DISCRIMINATION  
49 AND (II) ANY PATTERN OF HARASSMENT, BULLYING OR DISCRIMINATION OF WHICH  
50 THEY OTHERWISE BECOME AWARE. SCHOOL DISTRICTS SHALL ENSURE THAT THEY  
51 HAVE ADEQUATE POLICIES AND PROCEDURES IN PLACE TO ENSURE THAT THESE  
52 PATTERNS ARE REPORTED PROMPTLY;

53 S 4. Section 14 of the education law is amended by adding two new  
54 subdivisions 6 and 7 to read as follows:

1 6. WHEN THE COMMISSIONER RECEIVES A REPORT FROM A PRINCIPAL OR SUPER-  
2 INTENDENT OF A PATTERN OF HARASSMENT, BULLYING OR DISCRIMINATION, THE  
3 COMMISSIONER SHALL DEVELOP, AND THE SCHOOL DISTRICT SHALL IMPLEMENT,  
4 INTERVENTION PROTOCOLS REASONABLY CALCULATED TO END THE HARASSMENT,  
5 BULLYING OR DISCRIMINATION, ELIMINATE ANY HOSTILE ENVIRONMENT, CREATE A  
6 MORE POSITIVE SCHOOL CULTURE AND CLIMATE, PREVENT RECURRENCE OF THE  
7 BEHAVIOR, AND ENSURE THE SAFETY OF THE STUDENT OR STUDENTS AGAINST WHOM  
8 SUCH HARASSMENT, BULLYING OR DISCRIMINATION WAS DIRECTED. THE DEPARTMENT  
9 SHALL EVALUATE THE DISTRICT'S IMPLEMENTATION OF SUCH PROTOCOLS WITHIN  
10 SIX MONTHS AFTER SUCH PROTOCOLS ARE RECEIVED BY THE DISTRICT.

11 7. IF THE COMMISSIONER RECEIVES OR ACQUIRES SUBSTANTIAL EVIDENCE FROM  
12 ANY SOURCE THAT A SCHOOL PRINCIPAL OR SUPERINTENDENT HAS FAILED TO  
13 FULFILL HIS OR HER DUTIES UNDER THIS ARTICLE OR HAS FAILED TO REPORT A  
14 PATTERN OF HARASSMENT, BULLYING OR DISCRIMINATION AS DEFINED IN SECTION  
15 ELEVEN OF THIS ARTICLE, OF WHICH THE PRINCIPAL OR SUPERINTENDENT KNEW OR  
16 SHOULD HAVE KNOWN, THE COMMISSIONER SHALL INITIATE A REMOVAL PROCEEDING  
17 PURSUANT TO SUBDIVISION ONE OF SECTION THREE HUNDRED SIX OF THIS TITLE.  
18 FOR THE PURPOSES OF THIS SUBDIVISION ONLY, A PRINCIPAL SHALL BE DEEMED A  
19 SCHOOL OFFICER.

20 S 5. Section 297 of the executive law is amended by adding a new  
21 subdivision 11 to read as follows:

22 11. THE DIVISION SHALL PROMPTLY REPORT TO THE COMMISSIONER OF EDUCA-  
23 TION INFORMATION REGARDING ANY COMPLAINTS OF DISCRIMINATION AGAINST  
24 STUDENTS IN A PUBLIC SCHOOL, BROUGHT PURSUANT TO SUBDIVISION FOUR OF  
25 SECTION TWO HUNDRED NINETY-SIX OF THIS ARTICLE, WHERE A DETERMINATION OF  
26 PROBABLE CAUSE HAS BEEN ISSUED BY THE DIVISION. SUCH INFORMATION MAY BE  
27 USED BY THE COMMISSIONER OF EDUCATION TO DETERMINE WHETHER A SCHOOL  
28 PRINCIPAL OR SUPERINTENDENT HAS FAILED TO REPORT A PATTERN OF HARASS-  
29 MENT, BULLYING OR DISCRIMINATION IN VIOLATION OF ARTICLE TWO OF THE  
30 EDUCATION LAW.

31 S 6. This act shall take effect on the ninetieth day after it shall  
32 have become a law, provided that authority of the commissioner of educa-  
33 tion and the division of human rights to promulgate any regulations  
34 necessary to implement this act shall take effect immediately.

35

## PART F

36 Section 1. Section 292 of the executive law is amended by adding a new  
37 subdivision 35 to read as follows:

38 35. THE TERM "EDUCATIONAL INSTITUTION", WHEN USED IN THIS ARTICLE,  
39 SHALL MEAN:

40 (A) ANY EDUCATION CORPORATION OR ASSOCIATION WHICH HOLDS ITSELF OUT TO  
41 THE PUBLIC TO BE NON-SECTARIAN AND EXEMPT FROM TAXATION PURSUANT TO THE  
42 PROVISIONS OF ARTICLE FOUR OF THE REAL PROPERTY TAX LAW; OR

43 (B) ANY PUBLIC SCHOOL, INCLUDING ANY SCHOOL DISTRICT, BOARD OF COOPER-  
44 ATIVE EDUCATIONAL SERVICES, PUBLIC COLLEGE, OR PUBLIC UNIVERSITY.

45 S 2. Subdivision 4 of section 296 of the executive law, as amended by  
46 chapter 106 of the laws of 2003, is amended to read as follows:

47 4. It shall be an unlawful discriminatory practice for an [education  
48 corporation or association which holds itself out to the public to be  
49 non-sectarian and exempt from taxation pursuant to the provisions of  
50 article four of the real property tax law] EDUCATIONAL INSTITUTION to  
51 deny the use of its facilities to any person otherwise qualified, or to  
52 permit the harassment of any student or applicant, by reason of his  
53 race, color, religion, disability, national origin, sexual orientation,  
54 military status, sex, age or marital status, except that any such insti-

1 tution which establishes or maintains a policy of educating persons of  
2 one sex exclusively may admit students of only one sex.

3 S 3. This act shall take effect immediately.

4 PART G

5 Section 1. The education law is amended by adding a new section 669-e  
6 to read as follows:

7 S 669-E. NEW YORK STATE SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMAT-  
8 ICS INCENTIVE PROGRAM. 1. UNDERGRADUATE STUDENTS WHO ARE MATRICULATED IN  
9 AN APPROVED UNDERGRADUATE PROGRAM LEADING TO A CAREER IN SCIENCE, TECH-  
10 NOLOGY, ENGINEERING OR MATHEMATICS AT A NEW YORK STATE PUBLIC INSTITU-  
11 TION OF HIGHER EDUCATION SHALL BE ELIGIBLE FOR AN AWARD UNDER THIS  
12 SECTION, PROVIDED THE APPLICANT: (A) GRADUATES FROM A HIGH SCHOOL  
13 LOCATED IN NEW YORK STATE DURING OR AFTER THE TWO THOUSAND  
14 THIRTEEN--FOURTEEN SCHOOL YEAR; AND (B) GRADUATES WITHIN THE TOP TEN  
15 PERCENT OF HIS OR HER HIGH SCHOOL CLASS; AND (C) ENROLLS IN FULL-TIME  
16 STUDY EACH ACADEMIC YEAR BEGINNING IN THE FALL TERM AFTER HIS OR HER  
17 HIGH SCHOOL GRADUATION IN AN APPROVED UNDERGRADUATE PROGRAM IN SCIENCE,  
18 TECHNOLOGY, ENGINEERING OR MATHEMATICS, AS DEFINED BY THE CORPORATION,  
19 AT A NEW YORK STATE PUBLIC INSTITUTION OF HIGHER EDUCATION; AND (D)  
20 SIGNS A CONTRACT WITH THE CORPORATION AGREEING THAT HIS OR HER AWARD  
21 WILL BE CONVERTED TO A STUDENT LOAN IN THE EVENT THE STUDENT FAILS TO  
22 COMPLY WITH THE TERMS OF THIS PROGRAM AS SET FORTH IN SUBDIVISION FOUR  
23 OF THIS SECTION; AND (E) COMPLIES WITH THE APPLICABLE PROVISIONS OF THIS  
24 ARTICLE AND ALL REQUIREMENTS PROMULGATED BY THE CORPORATION FOR THE  
25 ADMINISTRATION OF THE PROGRAM.

26 2. AWARDS SHALL BE GRANTED BEGINNING WITH THE TWO THOUSAND  
27 FOURTEEN--TWO THOUSAND FIFTEEN ACADEMIC YEAR AND THEREAFTER TO APPLI-  
28 CANTS THAT THE CORPORATION HAS DETERMINED ARE ELIGIBLE TO RECEIVE SUCH  
29 AWARDS. THE CORPORATION SHALL GRANT SUCH AWARDS IN AN AMOUNT EQUAL TO  
30 THE AMOUNT OF UNDERGRADUATE TUITION FOR RESIDENTS OF NEW YORK STATE  
31 CHARGED BY THE STATE UNIVERSITY OF NEW YORK OR ACTUAL TUITION CHARGED,  
32 WHICHEVER IS LESS; PROVIDED, HOWEVER, (I) A STUDENT WHO RECEIVES EDUCA-  
33 TIONAL GRANTS AND/OR SCHOLARSHIPS THAT COVER THE STUDENT'S FULL COST OF  
34 ATTENDANCE SHALL NOT BE ELIGIBLE FOR AN AWARD UNDER THIS PROGRAM; (II)  
35 FOR A STUDENT WHO RECEIVES EDUCATIONAL GRANTS AND/OR SCHOLARSHIPS THAT  
36 COVER LESS THAN THE STUDENT'S FULL COST OF ATTENDANCE, SUCH GRANTS  
37 AND/OR SCHOLARSHIPS SHALL NOT BE DEEMED DUPLICATIVE OF THIS PROGRAM AND  
38 MAY BE HELD CONCURRENTLY WITH AN AWARD UNDER THIS PROGRAM, PROVIDED THAT  
39 THE COMBINED BENEFITS DO NOT EXCEED THE STUDENT'S FULL COST OF ATTEND-  
40 ANCE; AND (III) AN AWARD UNDER THIS PROGRAM SHALL BE APPLIED TO TUITION  
41 AFTER THE APPLICATION OF ALL OTHER EDUCATIONAL GRANTS AND SCHOLARSHIPS  
42 LIMITED TO TUITION AND SHALL BE REDUCED IN AN AMOUNT EQUAL TO SUCH  
43 EDUCATIONAL GRANTS AND/OR SCHOLARSHIPS. UPON NOTIFICATION OF AN AWARD  
44 UNDER THIS PROGRAM, THE INSTITUTION SHALL DEFER THE AMOUNT OF TUITION  
45 EQUAL TO THE AWARD. NO AWARD SHALL BE FINAL UNTIL THE RECIPIENT'S  
46 SUCCESSFUL COMPLETION OF A TERM HAS BEEN CERTIFIED BY THE INSTITUTION.

47 3. AN ELIGIBLE RECIPIENT SHALL NOT RECEIVE AN AWARD FOR MORE THAN FOUR  
48 ACADEMIC YEARS OF FULL-TIME UNDERGRADUATE STUDY OR FIVE ACADEMIC YEARS  
49 IF THE PROGRAM OF STUDY NORMALLY REQUIRES FIVE YEARS, EXCLUDING ANY  
50 ALLOWABLE INTERRUPTION OF STUDY.

51 4. THE CORPORATION SHALL CONVERT TO A STUDENT LOAN THE FULL AMOUNT OF  
52 THE AWARD GIVEN PURSUANT TO THIS SECTION, PLUS INTEREST, ACCORDING TO A  
53 SCHEDULE TO BE DETERMINED BY THE CORPORATION IF: (A) A RECIPIENT FAILS  
54 TO COMPLETE AN APPROVED UNDERGRADUATE PROGRAM IN SCIENCE, TECHNOLOGY,



1 ENGINEERING OR MATHEMATICS OR CHANGES MAJORS TO A PROGRAM OF UNDERGRADU-  
2 ATE STUDY OTHER THAN IN SCIENCE, TECHNOLOGY, ENGINEERING OR MATHEMATICS;  
3 OR (B) UPON COMPLETION OF SUCH UNDERGRADUATE DEGREE PROGRAM A RECIPIENT  
4 FAILS TO EITHER (I) COMPLETE FIVE YEARS OF EMPLOYMENT IN THE SCIENCE,  
5 TECHNOLOGY, ENGINEERING OR MATHEMATICS FIELD WITH A PUBLIC OR PRIVATE  
6 ENTITY LOCATED WITHIN NEW YORK STATE, OR (II) MAINTAIN RESIDENCY IN NEW  
7 YORK STATE FOR SUCH PERIOD OF EMPLOYMENT; OR (C) A RECIPIENT FAILS TO  
8 RESPOND TO REQUESTS BY THE CORPORATION FOR THE STATUS OF HIS OR HER  
9 ACADEMIC OR PROFESSIONAL PROGRESS. THE TERMS AND CONDITIONS OF THIS  
10 SUBDIVISION SHALL BE DEFERRED FOR INDIVIDUALS WHO GRADUATE WITH A DEGREE  
11 IN AN APPROVED UNDERGRADUATE PROGRAM IN SCIENCE, TECHNOLOGY, ENGINEERING  
12 OR MATHEMATICS AND CONTINUE THEIR EDUCATION ON AT LEAST A HALF-TIME  
13 BASIS IN A GRADUATE OR HIGHER DEGREE PROGRAM OR OTHER PROFESSIONAL  
14 LICENSURE DEGREE PROGRAM UNTIL THEY ARE CONFERRED A DEGREE, AND SHALL  
15 ALSO BE DEFERRED FOR ANY INTERRUPTION IN UNDERGRADUATE STUDY OR EMPLOY-  
16 MENT AS ESTABLISHED BY THE RULES AND REGULATIONS OF THE CORPORATION.  
17 THE TERMS AND CONDITIONS OF THIS SUBDIVISION MAY ALSO BE DEFERRED FOR A  
18 GRACE PERIOD, TO BE ESTABLISHED BY THE CORPORATION, FOLLOWING THE  
19 COMPLETION OF AN APPROVED UNDERGRADUATE PROGRAM IN SCIENCE, TECHNOLOGY,  
20 ENGINEERING OR MATHEMATICS. ANY OBLIGATION TO COMPLY WITH SUCH  
21 PROVISIONS AS OUTLINED IN THIS SECTION SHALL BE CANCELLED UPON THE DEATH  
22 OF THE RECIPIENT. NOTWITHSTANDING ANY PROVISIONS OF THIS SUBDIVISION TO  
23 THE CONTRARY, THE CORPORATION IS AUTHORIZED TO PROMULGATE RULES AND  
24 REGULATIONS TO PROVIDE FOR THE WAIVER OR SUSPENSION OF ANY FINANCIAL  
25 OBLIGATION WHICH WOULD INVOLVE EXTREME HARDSHIP.

26 5. THE CORPORATION IS AUTHORIZED TO PROMULGATE RULES AND REGULATIONS,  
27 AND MAY PROMULGATE EMERGENCY REGULATIONS, NECESSARY FOR THE IMPLEMENTA-  
28 TION OF THE PROVISIONS OF THIS SECTION, INCLUDING, BUT NOT LIMITED TO,  
29 THE RATE OF INTEREST CHARGED FOR REPAYMENT OF THE STUDENT LOAN.

30 S 2. This act shall take effect immediately and shall be deemed to  
31 have been in full force and effect on and after April 1, 2014.

32

## PART H

33 Section 1. Paragraph (a) of subdivision 1 of section 1 of part U of  
34 chapter 57 of the laws of 2005 amending the labor law and other laws  
35 implementing the state fiscal plan for the 2005-2006 state fiscal year,  
36 relating to the New York state higher education capital matching grant  
37 program for independent colleges, as amended by section 1 of part C of  
38 chapter 57 of the laws of 2013, is amended to read as follows:

39 (a) The New York state higher education capital matching grant board  
40 is hereby created to have and exercise the powers, duties and preroga-  
41 tives provided by the provisions of this section and any other provision  
42 of law. The board shall remain in existence during the period of the New  
43 York state higher education capital matching grant program from the  
44 effective date of this section through March 31, [2014] 2017, or the  
45 date on which the last of the funds available for grants under this  
46 section shall have been disbursed, whichever is earlier; provided,  
47 however, that the termination of the existence of the board shall not  
48 affect the power and authority of the dormitory authority to perform its  
49 obligations with respect to any bonds, notes, or other indebtedness  
50 issued or incurred pursuant to authority granted in this section.

51 S 2. Paragraph (h) of subdivision 4 of section 1 of part U of chapter  
52 57 of the laws of 2005 amending the labor law and other laws implement-  
53 ing the state fiscal plan for the 2005-2006 state fiscal year, relating  
54 to the New York state higher education capital matching grant program

1 for independent colleges, as amended by section 2 of part C of chapter  
2 57 of the laws of 2013, is amended to read as follows:

3 (h) In the event that any colleges do not apply for higher education  
4 capital matching grants by March 31, 2009, or in the event they apply  
5 for and are awarded, but do not use the full amount of such grants, the  
6 unused funds associated with such grants shall thereafter be awarded to  
7 colleges on a competitive basis, according to the priorities set forth  
8 below. Notwithstanding subdivision five of this section, any college  
9 shall be eligible to apply for such unused funds in response to a  
10 request for proposals for a higher education capital matching grant  
11 pursuant to this paragraph. In such cases, the following priorities  
12 shall apply: first, priority shall be given to otherwise eligible  
13 colleges that either were, or would have been, deemed ineligible for the  
14 program prior to March 31, 2009, due to missed deadlines, insufficient  
15 matching funds, lack of accreditation or other disqualifying reasons;  
16 and second, after the board has acted upon all such first-priority  
17 applications for unused funds, if any such funds remain, those funds  
18 shall be available for distribution to eligible colleges. The dormitory  
19 authority shall develop a request for proposals and application process,  
20 in consultation with the board, for higher education capital matching  
21 grants awarded pursuant to this paragraph, and shall develop criteria,  
22 subject to review by the board, for the awarding of such grants. Such  
23 criteria shall include, but not be limited to the matching criteria  
24 contained in paragraph (c) of this subdivision, and the application  
25 criteria set forth in paragraph (e) of this subdivision. The dormitory  
26 authority shall require all applications in response to the request for  
27 proposals to be submitted by September 1, [2013] 2014, and the board  
28 shall act on each application for such matching grants by November 1,  
29 [2013] 2014.

30 S 3. Subclause (A) of clause (ii) of paragraph (j) of subdivision 4 of  
31 section 1 of part U of chapter 57 of the laws of 2005 amending the labor  
32 law and other laws implementing the state fiscal plan for the 2005-2006  
33 state fiscal year, relating to the New York state higher education capi-  
34 tal matching grant program for independent colleges, as amended by  
35 section 3 of part C of chapter 57 of the laws of 2013, is amended to  
36 read as follows:

37 (A) Notwithstanding the provision of any general or special law to the  
38 contrary, and subject to the provisions of chapter 59 of the laws of  
39 2000 and to the making of annual appropriations therefor by the legisla-  
40 ture, in order to assist the dormitory authority in providing such high-  
41 er education capital matching grants, the director of the budget is  
42 authorized in any state fiscal year commencing April 1, 2005 or any  
43 state fiscal year thereafter for a period ending on March 31, [2015,]  
44 2017, to enter into one or more service contracts, none of which shall  
45 exceed 30 years in duration, with the dormitory authority, upon such  
46 terms as the director of the budget and the dormitory authority agree.

47 S 4. Paragraph (b) of subdivision 7 of section 1 of part U of chapter  
48 57 of the laws of 2005 amending the labor law and other laws implement-  
49 ing the state fiscal plan for the 2005-2006 state fiscal year, relating  
50 to the New York state higher education matching capital grant program  
51 for independent colleges, as amended by section 4 of part C of chapter  
52 57 of the laws of 2013, is amended to read as follows:

53 (b) Any eligible institution receiving a grant pursuant to this arti-  
54 cle shall report to the dormitory authority no later than June 1, [2014]  
55 2018, on the use of funding received and its programmatic and economic  
56 impact. The dormitory authority shall submit a report no later than

1 November 1, [2014] 2018 to [the board,] the governor, the director of  
2 the budget, the temporary president of the senate, and the speaker of  
3 the assembly on the aggregate impact of the higher education matching  
4 capital grant program. Such report shall provide information on the  
5 progress and economic impact of such project.

6 S 5. This act shall take effect immediately and shall be deemed to  
7 have been in full force and effect on and after April 1, 2014.

8

## PART I

9 Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of  
10 section 131-o of the social services law, as amended by section 1 of  
11 part E of chapter 57 of the laws of 2013, are amended to read as  
12 follows:

13 (a) in the case of each individual receiving family care, an amount  
14 equal to at least [\$137.00] \$139.00 for each month beginning on or after  
15 January first, two thousand [thirteen] FOURTEEN.

16 (b) in the case of each individual receiving residential care, an  
17 amount equal to at least [\$158.00] \$160.00 for each month beginning on  
18 or after January first, two thousand [thirteen] FOURTEEN.

19 (c) in the case of each individual receiving enhanced residential  
20 care, an amount equal to at least [\$187.00] \$190.00 for each month  
21 beginning on or after January first, two thousand [thirteen] FOURTEEN.

22 (d) for the period commencing January first, two thousand [fourteen]  
23 FIFTEEN, the monthly personal needs allowance shall be an amount equal  
24 to the sum of the amounts set forth in subparagraphs one and two of this  
25 paragraph:

26 (1) the amounts specified in paragraphs (a), (b) and (c) of this  
27 subdivision; and

28 (2) the amount in subparagraph one of this paragraph, multiplied by  
29 the percentage of any federal supplemental security income cost of  
30 living adjustment which becomes effective on or after January first, two  
31 thousand [fourteen] FIFTEEN, but prior to June thirtieth, two thousand  
32 [fourteen] FIFTEEN, rounded to the nearest whole dollar.

33 S 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of  
34 section 209 of the social services law, as amended by section 2 of part  
35 E of chapter 57 of the laws of 2013, are amended to read as follows:

36 (a) On and after January first, two thousand [thirteen] FOURTEEN, for  
37 an eligible individual living alone, [\$797.00] \$808.00; and for an  
38 eligible couple living alone, [\$1170.00] \$1186.00.

39 (b) On and after January first, two thousand [thirteen] FOURTEEN, for  
40 an eligible individual living with others with or without in-kind  
41 income, [\$733.00] \$744.00; and for an eligible couple living with others  
42 with or without in-kind income, [\$1112.00] \$1128.00.

43 (c) On and after January first, two thousand [thirteen] FOURTEEN, (i)  
44 for an eligible individual receiving family care, [\$976.48] \$987.48 if  
45 he or she is receiving such care in the city of New York or the county  
46 of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible  
47 couple receiving family care in the city of New York or the county of  
48 Nassau, Suffolk, Westchester or Rockland, two times the amount set forth  
49 in subparagraph (i) of this paragraph; or (iii) for an eligible individ-  
50 ual receiving such care in any other county in the state, [\$938.48]  
51 \$949.48; and (iv) for an eligible couple receiving such care in any  
52 other county in the state, two times the amount set forth in subpara-  
53 graph (iii) of this paragraph.

1 (d) On and after January first, two thousand [thirteen] FOURTEEN, (i)  
2 for an eligible individual receiving residential care, [\$1145.00]  
3 \$1156.00 if he or she is receiving such care in the city of New York or  
4 the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an  
5 eligible couple receiving residential care in the city of New York or  
6 the county of Nassau, Suffolk, Westchester or Rockland, two times the  
7 amount set forth in subparagraph (i) of this paragraph; or (iii) for an  
8 eligible individual receiving such care in any other county in the  
9 state, [\$1115.00] \$1126.00; and (iv) for an eligible couple receiving  
10 such care in any other county in the state, two times the amount set  
11 forth in subparagraph (iii) of this paragraph.

12 (e) (i) On and after January first, two thousand [thirteen] FOURTEEN,  
13 for an eligible individual receiving enhanced residential care,  
14 [\$1404.00] \$1415.00; and (ii) for an eligible couple receiving enhanced  
15 residential care, two times the amount set forth in subparagraph (i) of  
16 this paragraph.

17 (f) The amounts set forth in paragraphs (a) through (e) of this subdi-  
18 vision shall be increased to reflect any increases in federal supple-  
19 mental security income benefits for individuals or couples which become  
20 effective on or after January first, two thousand [fourteen] FIFTEEN but  
21 prior to June thirtieth, two thousand [fourteen] FIFTEEN.

22 S 3. This act shall take effect December 31, 2014.

23

PART J

24 Section 1. The opening paragraph of section 21-a of the social  
25 services law, as added by section 144-a of part B of chapter 436 of the  
26 laws of 1997, is amended to read as follows:

27 Any electronic benefit transfer system shall be implemented by the  
28 department on a statewide basis and shall be administered pursuant to  
29 the provisions of this section. FOR PURPOSES OF SUCH ELECTRONIC BENEFIT  
30 TRANSFER SYSTEM, THE TERM "ELECTRONIC BENEFIT TRANSFER" INCLUDES THE USE  
31 OF A CREDIT OR DEBIT CARD SERVICE, AUTOMATED TELLER MACHINE,  
32 POINT-OF-SALE TERMINAL, OR ACCESS TO AN ONLINE SYSTEM FOR THE WITHDRAWAL  
33 OF FUNDS OR THE PROCESSING OF A PAYMENT FOR MERCHANDISE OR A SERVICE.

34 S 2. The social services law is amended by adding a new section 145-d  
35 to read as follows:

36 S 145-D. SANCTIONS AND PENALTIES FOR THE UNAUTHORIZED USE OF PUBLIC  
37 ASSISTANCE. 1. IT SHALL BE AN UNAUTHORIZED USE OF PUBLIC ASSISTANCE FOR  
38 ANY RECIPIENT THEREOF TO ACCESS PUBLIC ASSISTANCE BY MEANS OF AN ELEC-  
39 TRONIC BENEFIT TRANSFER IN: (I) ANY ESTABLISHMENT THAT IS LICENSED TO  
40 SELL LIQUOR AND/OR WINE AT RETAIL FOR OFF-PREMISES CONSUMPTION; (II) ANY  
41 ESTABLISHMENT THAT IS LICENSED TO SELL BEER AT WHOLESALE AND ALSO  
42 AUTHORIZED TO SELL BEER AT RETAIL FOR OFF-PREMISES CONSUMPTION; (III)  
43 ANY CASINO, GAMBLING CASINO OR GAMING ESTABLISHMENT, EXCEPT AS PROVIDED  
44 FOR IN SUBDIVISION TWO OF SECTION ONE HUNDRED FIFTY-ONE OF THIS TITLE;  
45 OR (IV) ANY ESTABLISHMENT THAT PROVIDES ADULT-ORIENTED ENTERTAINMENT IN  
46 WHICH PERFORMERS DISROBE OR PERFORM IN AN UNCLOTHED STATE FOR ENTER-  
47 TAINMENT. FOR PURPOSES OF THIS SECTION, "GAMING ESTABLISHMENT" SHALL  
48 MEAN ANY VIDEO LOTTERY FACILITY, OFF-TRACK BETTING BRANCH OFFICE, SIMUL-  
49 CAST FACILITY, LICENSED COMMERCIAL CHARITABLE GAMING FACILITY, OR ANY  
50 PARI-MUTUEL RACE TRACK AREA AT WHICH WAGERS MAY BE ACCEPTED BUT SHALL  
51 NOT INCLUDE ANY AREA THAT DOES NOT ACCEPT WAGERS AND IS NOT OPEN TO THE  
52 PUBLIC OR TO UNAUTHORIZED PERSONNEL, SUCH AS NON-WAGERING AREAS OF THE  
53 BACKSTRETCH.

1 2. ANY PERSON WHO, INDIVIDUALLY OR AS A MEMBER OF A FAMILY, IS FOUND  
2 BY A FEDERAL, STATE, LOCAL, CRIMINAL, CIVIL OR OTHER COURT OR PURSUANT  
3 TO AN ADMINISTRATIVE HEARING HELD IN ACCORDANCE WITH THE REGULATIONS OF  
4 THE DEPARTMENT, ON THE BASIS OF A PLEA OF GUILTY OR NOLO CONTENDERE OR  
5 OTHERWISE, TO HAVE ACCESSED PUBLIC ASSISTANCE BY MEANS OF AN ELECTRONIC  
6 BENEFIT TRANSFER IN AN UNAUTHORIZED LOCATION AS SET FORTH IN SUBDIVISION  
7 ONE OF THIS SECTION, SHALL NOT HAVE HIS OR HER NEEDS TAKEN INTO ACCOUNT  
8 IN DETERMINING HIS OR HER NEED OR THAT OF HIS OR HER FAMILY PURSUANT TO  
9 SECTION ONE HUNDRED THIRTY-ONE-A OF THIS TITLE: (I) FOR A PERIOD OF ONE  
10 MONTH FOR THE FIRST OFFENSE; (II) FOR A PERIOD OF TWO MONTHS FOR THE  
11 SECOND OFFENSE; (III) FOR A PERIOD OF THREE MONTHS FOR THE THIRD  
12 OFFENSE; AND (IV) FOR A PERIOD OF SIX MONTHS FOR ANY SUBSEQUENT OFFENSE.  
13 THESE SANCTIONS SHALL BE IN ADDITION TO AND NOT IN SUBSTITUTION OF ANY  
14 OTHER SANCTIONS OR PENALTIES THAT MAY BE PROVIDED FOR BY LAW WITH  
15 RESPECT TO THE UNAUTHORIZED USE INVOLVED, EXCEPT THAT THE SOCIAL  
16 SERVICES OFFICIAL OR COURT OFFICIAL ASSESSING SANCTIONS OR PENALTIES  
17 AGAINST A RECIPIENT FOR AN UNAUTHORIZED USE AS DESCRIBED IN SUBDIVISION  
18 ONE OF THIS SECTION MAY CONSIDER WHETHER TO IMPOSE SUCH OTHER SANCTIONS  
19 OR PENALTIES BASED UPON THE EXISTENCE OF THE SANCTIONS DESCRIBED IN THIS  
20 SUBDIVISION.

21 S 3. Section 151 of the social services law, as added by chapter 570  
22 of the laws of 1951, is amended to read as follows:

23 S 151. [Penalty] PENALTIES for cashing public assistance checks OR  
24 ACCEPTING ELECTRONIC BENEFIT TRANSFERS FROM PUBLIC ASSISTANCE  
25 RECIPIENTS. [No] 1. UNAUTHORIZED TRANSACTIONS. EXCEPT AS OTHERWISE  
26 PROVIDED IN SUBDIVISION TWO OF THIS SECTION, NO person, firm, ESTABLISH-  
27 MENT, ENTITY, or corporation (A) licensed under the [provision]  
28 PROVISIONS of the alcoholic beverage control law to sell liquor AND/OR  
29 WINE at retail FOR OFF-PREMISES CONSUMPTION; (B) LICENSED TO SELL BEER  
30 AT WHOLESALE AND ALSO AUTHORIZED TO SELL BEER AT RETAIL FOR OFF-PREMISES  
31 CONSUMPTION; (C) LICENSED OR AUTHORIZED TO CONDUCT PARI-MUTUEL WAGERING  
32 ACTIVITY UNDER THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW; (D)  
33 LICENSED TO PARTICIPATE IN CHARITABLE GAMING UNDER ARTICLE FOURTEEN-H OF  
34 THE GENERAL MUNICIPAL LAW; (E) LICENSED TO PARTICIPATE IN THE OPERATION  
35 OF A VIDEO LOTTERY FACILITY UNDER SECTION ONE THOUSAND SIX HUNDRED  
36 SEVENTEEN-A OF THE TAX LAW; (F) LICENSED TO OPERATE A GAMING FACILITY  
37 UNDER SECTION ONE THOUSAND THREE HUNDRED ELEVEN OF THE RACING, PARI-MU-  
38 TUEL WAGERING AND BREEDING LAW; OR (G) PROVIDING ADULT-ORIENTED ENTER-  
39 TAINMENT IN WHICH PERFORMERS DISROBE OR PERFORM IN AN UNCLOTHED STATE  
40 FOR ENTERTAINMENT, OR MAKING AVAILABLE THE VENUE IN WHICH PERFORMERS  
41 DISROBE OR PERFORM IN AN UNCLOTHED STATE FOR ENTERTAINMENT, shall cash  
42 or accept[, for any purpose whatsoever,] FOR UNAUTHORIZED TRANSACTIONS  
43 AS SET FORTH IN SUBDIVISION ONE OF SECTION ONE HUNDRED FORTY-FIVE-D OF  
44 THIS ARTICLE, any public assistance check OR ELECTRONIC BENEFIT TRANSFER  
45 DEVICE issued by a public welfare official or department, OR AGENT THER-  
46 EOF, as and for public assistance.

47 2. AUTHORIZED TRANSACTIONS. (A) A GROCERY STORE THAT SELLS GROCERIES  
48 INCLUDING STAPLE FOODS AND THAT ALSO OFFERS, OR IS LOCATED WITHIN THE  
49 SAME BUILDING OR COMPLEX AS, A CASINO, GAMBLING CASINO, OR GAMING ESTAB-  
50 LISHMENT; AND ANY AREA OF A PARI-MUTUEL RACE TRACK THAT DOES NOT ACCEPT  
51 WAGERS AND IS NOT OPEN TO THE PUBLIC OR TO UNAUTHORIZED PERSONNEL, SUCH  
52 AS NON-WAGERING AREAS OF THE BACKSTRETCH, MAY ACCEPT ANY PUBLIC ASSIST-  
53 ANCE CHECK OR ELECTRONIC BENEFIT TRANSFER ISSUED BY A PUBLIC WELFARE  
54 OFFICIAL OR DEPARTMENT, OR AGENT THEREOF. FOR PURPOSES OF THIS PARA-  
55 GRAPH, "GAMING ESTABLISHMENT" SHALL MEAN ANY VIDEO LOTTERY FACILITY,

1 OFF-TRACK BETTING BRANCH OFFICE, SIMULCAST FACILITY, LICENSED COMMERCIAL  
2 CHARITABLE GAMING FACILITY, OR ANY PARI-MUTUEL RACE TRACK.

3 (B) ANY ESTABLISHMENT THAT OFFERS GAMBLING INCIDENTAL TO THE PRINCIPAL  
4 PURPOSE OF THE BUSINESS AT SUCH LOCATION MAY ACCEPT ANY PUBLIC ASSIST-  
5 ANCE CHECK OR ELECTRONIC BENEFIT TRANSFER DEVICE ISSUED BY A PUBLIC  
6 WELFARE OFFICIAL OR DEPARTMENT, OR AGENT THEREOF.

7 3. PENALTIES. (A) A violation of the provisions OF SUBDIVISION ONE of  
8 this section [for the first offense shall be punishable by a fine not to  
9 exceed fifty dollars. A second offense] TAKING PLACE AT THE LICENSED  
10 PREMISES BY A PERSON, CORPORATION OR ENTITY LICENSED UNDER THE ALCOHOLIC  
11 BEVERAGE CONTROL LAW: (I) TO SELL LIQUOR AND/OR WINE AT RETAIL FOR OFF-  
12 PREMISES CONSUMPTION; (II) TO SELL BEER AT WHOLESALE AND ALSO AUTHORIZED  
13 TO SELL BEER AT RETAIL FOR OFF-PREMISES CONSUMPTION; OR (III) TO SELL  
14 LIQUOR, WINE AND/OR BEER FOR ON-PREMISES CONSUMPTION AT AN ESTABLISHMENT  
15 WHERE ENTERTAINERS APPEAR UNCLOTHED AS PERMITTED BY THE RULES OF THE  
16 STATE LIQUOR AUTHORITY, shall constitute [sufficient] cause, FOR THE  
17 PURPOSES OF SECTION ONE HUNDRED EIGHTEEN OF THE ALCOHOLIC BEVERAGE  
18 CONTROL LAW, for the revocation, cancellation or suspension of such  
19 license [issued pursuant to the alcoholic beverage control law].

20 (B) A VIOLATION OF THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION  
21 BY ANY PERSON, CORPORATION OR ENTITY LICENSED TO OPERATE A GAMING FACIL-  
22 ITY UNDER SECTION ONE THOUSAND THREE HUNDRED ELEVEN OF THE RACING,  
23 PARI-MUTUEL WAGERING AND BREEDING LAW; LICENSED UNDER SECTION ONE THOU-  
24 SAND SIX HUNDRED SEVENTEEN-A OF THE TAX LAW TO PARTICIPATE IN THE OPERA-  
25 TION OF A VIDEO LOTTERY FACILITY; LICENSED OR AUTHORIZED TO CONDUCT  
26 PARI-MUTUEL WAGERING UNDER THE RACING, PARI-MUTUEL WAGERING AND BREEDING  
27 LAW; OR LICENSED TO PARTICIPATE IN CHARITABLE GAMING UNDER ARTICLE FOUR-  
28 TEEN-H OF THE GENERAL MUNICIPAL LAW, SHALL SUBJECT SUCH PERSON, CORPO-  
29 RATION OR ENTITY TO DISCIPLINARY ACTION PURSUANT TO SECTION ONE HUNDRED  
30 FOUR OF THE RACING, PARI-MUTUEL WAGERING AND BREEDING LAW AND SECTION  
31 ONE THOUSAND SIX HUNDRED SEVEN OF THE TAX LAW, WHICH MAY INCLUDE REVOCA-  
32 TION, CANCELLATION OR SUSPENSION OF SUCH LICENSE OR AUTHORIZATION.

33 (C) A VIOLATION OF THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION  
34 BY ANY PERSON, FIRM, ESTABLISHMENT, ENTITY OR CORPORATION PROVIDING  
35 ADULT-ORIENTED ENTERTAINMENT IN WHICH PERFORMERS DISROBE OR PERFORM IN  
36 AN UNCLOTHED STATE FOR ENTERTAINMENT, OR MAKING AVAILABLE THE VENUE IN  
37 WHICH PERFORMERS DISROBE OR PERFORM IN AN UNCLOTHED STATE FOR ENTER-  
38 TAINMENT, SHALL BE A VIOLATION, AS DEFINED IN SUBDIVISION THREE OF  
39 SECTION 10.00 OF THE PENAL LAW, SUBJECT TO A FINE OF NOT MORE THAN ONE  
40 HUNDRED DOLLARS, A SECOND SUCH VIOLATION SHALL BE A VIOLATION SUBJECT TO  
41 A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS, AND A THIRD OR SUBSEQUENT  
42 SUCH VIOLATION SHALL BE CLASS B MISDEMEANOR SUBJECT TO A FINE OF NOT  
43 MORE THAN ONE THOUSAND DOLLARS.

44 S 4. This act shall take effect on the sixtieth day after it shall  
45 have become a law; provided, however, the New York state office of  
46 temporary and disability assistance, the New York state liquor authori-  
47 ty, and the New York state gaming commission shall be authorized to  
48 promulgate regulations on an emergency basis and immediately take such  
49 other actions as necessary to implement the provisions of this act.

50

## PART K

51 Section 1. Notwithstanding any other provision of law, the housing  
52 trust fund corporation (the corporation) may provide, for purposes of  
53 the rural rental assistance program, a sum not to exceed twenty million  
54 four hundred thousand dollars for the fiscal year ending March 31, 2015.

1 Notwithstanding any other provision of law, and provided that the  
2 reserves in the project pool insurance account of the mortgage insurance  
3 fund created pursuant to section 2429-b of the public authorities law  
4 are sufficient to attain and maintain the credit rating (as determined  
5 by the agency) required to accomplish the purposes of such account, the  
6 board of directors of the state of New York mortgage agency shall  
7 authorize the transfer from the project pool insurance account of the  
8 mortgage insurance fund to the housing trust fund corporation (the  
9 corporation), for the purposes of reimbursing any costs associated with  
10 rural rental assistance program contracts authorized by this section, a  
11 total sum not to exceed twenty million four hundred thousand dollars as  
12 soon as practicable but no later than June 30, 2014. Notwithstanding any  
13 other provision of law, all current and existing rural rental assistance  
14 program contracts may be assigned to the corporation to administer as  
15 soon as practicable. Notwithstanding any other provision of law, such  
16 funds may be used by the corporation in support of contracts scheduled  
17 to expire in 2014-15 for as many as 10 additional years; in support of  
18 contracts for new eligible projects for a period not to exceed 5 years;  
19 and in support of contracts which reach their 25 year maximum in and/or  
20 prior to 2014-15 for an additional one year period.

21 S 2. Notwithstanding any other provision of law, the housing finance  
22 agency may provide, for costs associated with the rehabilitation of  
23 Mitchell Lama housing projects, a sum not to exceed thirty-two million  
24 dollars for the fiscal year ending March 31, 2015. Notwithstanding any  
25 other provision of law, and provided that the reserves in the project  
26 pool insurance account of the mortgage insurance fund created pursuant  
27 to section 2429-b of the public authorities law are sufficient to attain  
28 and maintain the credit rating (as determined by the agency) required to  
29 accomplish the purposes of such account, the board of directors of the  
30 state of New York mortgage agency shall authorize the transfer from the  
31 project pool insurance account of the mortgage insurance fund to the  
32 housing finance agency, for the purposes of reimbursing any costs asso-  
33 ciated with Mitchell Lama housing projects authorized by this section, a  
34 total sum not to exceed thirty-two million dollars as soon as practica-  
35 ble but no later than March 31, 2015.

36 S 3. Notwithstanding any other provision of law, the housing trust  
37 fund corporation (the corporation) may provide, for purposes of the  
38 neighborhood preservation program, a sum not to exceed eight million  
39 four hundred seventy-nine thousand dollars for the fiscal year ending  
40 March 31, 2015. Notwithstanding any other provision of law, and provided  
41 that the reserves in the project pool insurance account of the mortgage  
42 insurance fund created pursuant to section 2429-b of the public authori-  
43 ties law are sufficient to attain and maintain the credit rating (as  
44 determined by the agency) required to accomplish the purposes of such  
45 account, the board of directors of the state of New York mortgage agency  
46 shall authorize the transfer from the project pool insurance account of  
47 the mortgage insurance fund to the housing trust fund corporation (the  
48 corporation), for the purposes of reimbursing any costs associated with  
49 neighborhood preservation program contracts authorized by this section,  
50 a total sum not to exceed eight million four hundred seventy-nine thou-  
51 sand dollars as soon as practicable but no later than June 30, 2014.

52 S 4. Notwithstanding any other provision of law, the housing trust  
53 fund corporation (the corporation) may provide, for purposes of the  
54 rural preservation program, a sum not to exceed three million five  
55 hundred thirty-nine thousand dollars for the fiscal year ending March  
56 31, 2015. Notwithstanding any other provision of law, and provided that

1 the reserves in the project pool insurance account of the mortgage  
2 insurance fund created pursuant to section 2429-b of the public authori-  
3 ties law are sufficient to attain and maintain the credit rating (as  
4 determined by the agency) required to accomplish the purposes of such  
5 account, the board of directors of the state of New York mortgage agency  
6 shall authorize the transfer from the project pool insurance account of  
7 the mortgage insurance fund to the housing trust fund corporation (the  
8 corporation), for the purposes of reimbursing any costs associated with  
9 rural preservation program contracts authorized by this section, a total  
10 sum not to exceed three million five hundred thirty-nine thousand  
11 dollars as soon as practicable but no later than June 30, 2014.

12 S 5. Notwithstanding any other provision of law, the housing trust  
13 fund corporation (the corporation) may provide, for purposes of the  
14 rural and urban community investment fund program created pursuant to  
15 article XXVII of the private housing finance law, a sum not to exceed  
16 six million seven hundred fifty thousand dollars for the fiscal year  
17 ending March 31, 2015. Notwithstanding any other provision of law, and  
18 provided that the reserves in the project pool insurance account of the  
19 mortgage insurance fund created pursuant to section 2429-b of the public  
20 authorities law are sufficient to attain and maintain the credit rating  
21 (as determined by the agency) required to accomplish the purposes of  
22 such account, the board of directors of the state of New York mortgage  
23 agency shall authorize the transfer from the project pool insurance  
24 account of the mortgage insurance fund to the housing trust fund corpo-  
25 ration (the corporation), for the purposes of reimbursing any costs  
26 associated with rural and urban community investment fund program  
27 contracts authorized by this section, a total sum not to exceed six  
28 million seven hundred fifty thousand dollars as soon as practicable but  
29 not later than March 31, 2015.

30 S 6. Notwithstanding any other provision of law, the housing trust  
31 fund corporation (the corporation) may provide, for the purposes of  
32 carrying out the provisions of the low income housing trust fund program  
33 created pursuant to article XVIII of the private housing finance law, a  
34 sum not to exceed two million five hundred thousand dollars for the  
35 fiscal year ending March 31, 2015. Notwithstanding any other provision  
36 of law, and provided that reserves in the project pool insurance account  
37 of the mortgage insurance fund created pursuant to section 2429-b of the  
38 public authorities law are sufficient to attain and maintain the credit  
39 rating (as determined by the agency) required to accomplish the purposes  
40 of such account, the board of directors of the state of New York mort-  
41 gage agency shall authorize the transfer from the project pool insurance  
42 account of the mortgage insurance fund to the housing trust fund corpo-  
43 ration (the corporation), for the purposes of carrying out the  
44 provisions of the low income housing trust fund program created pursuant  
45 to article XVIII of the private housing finance law authorized by this  
46 section, a total sum not to exceed two million five hundred thousand  
47 dollars as soon as practicable but no later than March 31, 2015.

48 S 7. Notwithstanding any other provision of law, the housing trust  
49 fund corporation (the corporation) may provide, for purposes of the  
50 homes for working families program for deposit in the housing trust fund  
51 created pursuant to section 59-a of the private housing finance law and  
52 subject to the provisions of article XVIII of the private housing  
53 finance law, a sum not to exceed one million seven hundred fifty thou-  
54 sand dollars for the fiscal year ending March 31, 2015. Notwithstanding  
55 any other provision of law, and provided that the reserves in the  
56 project pool insurance account of the mortgage insurance fund created



1 pursuant to section 2429-b of the public authorities law are sufficient  
2 to attain and maintain the credit rating (as determined by the agency)  
3 required to accomplish the purposes of such account, the board of direc-  
4 tors of the state of New York mortgage agency shall authorize the trans-  
5 fer from the project pool insurance account of the mortgage insurance  
6 fund to the housing trust fund corporation (the corporation), for the  
7 purposes of reimbursing any costs associated with homes for working  
8 families program contracts authorized by this section, a total sum not  
9 to exceed one million seven hundred fifty thousand dollars as soon as  
10 practicable but no later than March 31, 2015.

11 S 8. This act shall take effect immediately.

12

#### PART L

13 Section 1. This act enacts into law major components of legislation  
14 which are necessary to continue transforming New York's juvenile justice  
15 system. Each component is wholly contained within a Subpart identified  
16 as Subparts A through B. The effective date for each particular  
17 provision contained within such Subpart is set forth in the last section  
18 of such Subpart. Any provision in any section contained within a  
19 Subpart, including the effective date of the Subpart, which makes refer-  
20 ence to a section "of this act", when used in connection with that  
21 particular component, shall be deemed to mean and refer to the corre-  
22 sponding section of the Subpart in which it is found. Section three of  
23 this act sets forth the general effective date of this act.

24

#### SUBPART A

25 Section 1. Subparagraph 8 of paragraph h of subdivision 4 of section  
26 1950 of the education law, as added by section 1 of part K of chapter 57  
27 of the laws of 2012, is amended to read as follows:

28 (8) To enter into contracts with the commissioner of the office of  
29 children and family services pursuant to subdivision six-a of section  
30 thirty-two hundred two of this chapter to provide to such office, for  
31 the benefit of youth in its custody, any special education programs AND  
32 ANY OTHER PROGRAMS and related services provided by the board of cooper-  
33 ative educational services to component school districts. Any such  
34 proposed contract shall be subject to the review and approval of the  
35 commissioner to determine that it is an approved cooperative educational  
36 service. Services provided pursuant to such contracts shall be provided  
37 at cost, and the board of cooperative educational services shall not be  
38 authorized to charge any costs incurred in providing such services to  
39 its component school districts.

40 S 2. Subdivision 6-a of section 3202 of the education law, as amended  
41 by section 2 of part K of chapter 57 of the laws of 2012, is amended to  
42 read as follows:

43 6-a. Notwithstanding subdivision six of this section or any other law  
44 to the contrary, the commissioner of the office of children and family  
45 services shall be responsible for the secular education of youth under  
46 the jurisdiction of the office and may contract for such education with  
47 the trustees or board of education of the school district wherein a  
48 facility for the residential care of such youth is located or with the  
49 board of cooperative educational services at which any such school  
50 district is a component district [for special education programs and  
51 related services]. A youth attending a local public school while in  
52 residence at such facility shall be deemed a resident of the school

1 district where his parent or guardian resides at the commencement of  
2 each school year for the purpose of determining which school district  
3 shall be responsible for the youth's tuition pursuant to section five  
4 hundred four of the executive law.

5 S 3. This act shall take effect immediately; provided that the amend-  
6 ments to subparagraph 8 of paragraph h of subdivision 4 of section 1950  
7 of the education law made by section one of this act shall not affect  
8 the expiration and repeal of such subparagraph and shall expire and be  
9 deemed repealed therewith pursuant to section 4 of part K of chapter 57  
10 of the laws of 2012, and provided further, that the amendments to subdi-  
11 vision 6-a of section 3202 of the education law made by section two of  
12 this act shall be subject to the expiration and reversion of such subdi-  
13 vision pursuant to section 4 of part K of chapter 57 of the laws of  
14 2012.

15

## SUBPART B

16 Section 1. Paragraph (a) of subdivision 7 of section 404 of the social  
17 services law, as added by section 1 of subpart A of part G of chapter 57  
18 of the laws of 2012, is amended to read as follows:

19 (a) Notwithstanding the provisions of paragraph (c) of subdivision  
20 fifteen of section five hundred one of the executive law, or any other  
21 law to the contrary, if the office of children and family services  
22 approves a social services district's plan for a juvenile justice  
23 services close to home initiative to implement services for juvenile  
24 delinquents placed in non-secure or limited secure settings, such office  
25 shall be authorized, for up to a year after the effective date of the  
26 first of any such approved plan for a district to implement services for  
27 each setting level, but in no event later than [September first, two  
28 thousand fourteen] APRIL THIRTIETH, TWO THOUSAND FIFTEEN: (1) to close  
29 any of its facilities in the corresponding setting levels covered by the  
30 approved plan and to make significant associated service reductions and  
31 public employee staffing reductions and transfer operations for those  
32 setting levels to a private or not-for-profit entity, as determined by  
33 the commissioner of the office of children and family services solely to  
34 reflect the decrease in the number of juvenile delinquents placed with  
35 such office from such social services district; (2) to reduce costs to  
36 the state and other social services districts resulting from such  
37 decrease; and (3) to adjust services to provide regionally-based care to  
38 juvenile delinquents from other parts of the state needing services in  
39 those levels of residential services. At least sixty days prior to  
40 taking any such action, the commissioner of the office shall provide  
41 notice of such action to the speaker of the assembly and the temporary  
42 president of the senate and shall post such notice upon its public  
43 website. Such notice may be provided at any time on or after the date  
44 the office approves a plan authorizing a social services district to  
45 implement programs for juvenile delinquents placed in the applicable  
46 setting level. Such commissioner shall be authorized to conduct any and  
47 all preparatory actions which may be required to effectuate such  
48 closures or significant service or staffing reductions and transfer of  
49 operations during such sixty day period. In assessing which of such  
50 facilities to close, or at which to implement any significant service  
51 reductions, public employee staffing reductions and/or transfer of oper-  
52 ations to a private or not-for-profit entity, the commissioner shall  
53 consider the following factors: (1) ability to provide a safe, humane  
54 and therapeutic environment for placed youth; (2) ability to meet the

1 educational, mental health, substance abuse and behavioral health treat-  
2 ment needs of placed youth; (3) community networks and partnerships that  
3 promote the social, mental, economic and behavioral development of  
4 placed youth; (4) future capacity requirements for the effective opera-  
5 tion of youth facilities; (5) the physical characteristics, conditions  
6 and costs of operation of the facility; and (6) the location of the  
7 facility in regards to costs and ease of transportation of placed youth  
8 and their families.

9 S 2. This act shall take effect immediately; provided that the amend-  
10 ments to paragraph (a) of subdivision 7 of section 404 of the social  
11 services law made by section one of this act shall not affect the repeal  
12 of such section and shall be deemed repealed therewith pursuant to  
13 section 11 of subpart A of part G of chapter 57 of the laws of 2012.

14 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
15 sion, section or part of this act shall be adjudged by any court of  
16 competent jurisdiction to be invalid, such judgment shall not affect,  
17 impair, or invalidate the remainder thereof, but shall be confined in  
18 its operation to the clause, sentence, paragraph, subdivision, section  
19 or part thereof directly involved in the controversy in which such judg-  
20 ment shall have been rendered. It is hereby declared to be the intent of  
21 the legislature that this act would have been enacted even if such  
22 invalid provisions had not been included herein.

23 S 3. This act shall take effect immediately, provided, however, that  
24 the applicable effective date of Subparts A and B of this act shall be  
25 as specifically set forth in the last section of such Subparts.

26 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
27 sion, section or part of this act shall be adjudged by any court of  
28 competent jurisdiction to be invalid, such judgment shall not affect,  
29 impair, or invalidate the remainder thereof, but shall be confined in  
30 its operation to the clause, sentence, paragraph, subdivision, section  
31 or part thereof directly involved in the controversy in which such judg-  
32 ment shall have been rendered. It is hereby declared to be the intent of  
33 the legislature that this act would have been enacted even if such  
34 invalid provisions had not been included herein.

35 S 3. This act shall take effect immediately provided, however, that  
36 the applicable effective date of Parts A through L of this act shall be  
37 as specifically set forth in the last section of such Parts.