

1559

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 12, 2015

---

Introduced by M. of A. GUNTHER, COOK, CLARK, STECK, CROUCH, HAWLEY,  
BUTLER, GOODELL -- Multi-Sponsored by -- M. of A. BARCLAY, CAMARA,  
RIVERA -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to foundation aid and the  
minimum local contribution thereto

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

1     Section 1. Subparagraph 1 of paragraph h of subdivision 2 of section  
2     3602 of the education law, as added by section 13 of part B of chapter  
3     57 of the laws of 2007, is amended to read as follows:  
4     (1) Total wealth foundation pupil units shall mean the sum of (i)  
5     average daily membership for the year UP TO FIVE YEARS prior to the base  
6     year, WHICHEVER IS HIGHEST, as computed in this section, plus (ii) the  
7     full-time equivalent enrollment of resident pupils attending public  
8     school elsewhere, less the full-time equivalent enrollment of nonresi-  
9     dent pupils, plus (iii) the full-time equivalent enrollment of resident  
10    pupils attending full-time in board of cooperative educational services  
11    (not otherwise specifically included). Native American pupils of a  
12    reservation attending public school, or pupils living on the United  
13    States military reservation at West Point attending public school, shall  
14    be deemed to be resident pupils of the district providing such school,  
15    for purposes of this paragraph. Where a school district has entered into  
16    a contract with state university pursuant to subdivision two of section  
17    three hundred fifty-five of this chapter under which the school district  
18    makes payment in the nature of tuition for the education of certain  
19    children residing in the district, such children for whom such tuition  
20    payments are made shall be deemed to be resident pupils of such district  
21    for the purposes of this paragraph.  
22    S 2. Subparagraph 4 of paragraph a of subdivision 4 of section 3602 of  
23    the education law, as amended by section 3 of part A of chapter 56 of  
24    the laws of 2014, is amended to read as follows:

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

LBD04275-01-5

1 (4) The expected minimum local contribution shall equal the lesser of  
2 (i) the product of (A) the quotient arrived at when the selected actual  
3 valuation is divided by total wealth foundation pupil units, multiplied  
4 by (B) the product of the local tax factor, multiplied by the income  
5 wealth index, or (ii) the product of (A) the product of the foundation  
6 amount, the regional cost index, and the pupil need index, multiplied by  
7 (B) the positive difference, if any, of one minus the state sharing  
8 ratio for total foundation aid. The local tax factor shall be estab-  
9 lished by May first of each year by determining the product, computed to  
10 four decimal places without rounding, of ninety percent multiplied by  
11 the quotient of the sum of the statewide average tax rate as computed by  
12 the commissioner for the current year in accordance with the provisions  
13 of paragraph e of subdivision one of section thirty-six hundred nine-e  
14 of this part plus the statewide average tax rate computed by the commis-  
15 sioner for the base year in accordance with such provisions plus the  
16 statewide average tax rate computed by the commissioner for the year  
17 prior to the base year in accordance with such provisions, divided by  
18 three, provided however that for the two thousand seven--two thousand  
19 eight school year, such local tax factor shall be sixteen thousandths  
20 (0.016), and provided further that for the two thousand eight--two thou-  
21 sand nine school year, such local tax factor shall be one hundred  
22 fifty-four ten thousandths (0.0154). The income wealth index shall be  
23 calculated pursuant to paragraph d of subdivision three of this section,  
24 provided, however, that for the purposes of computing the expected mini-  
25 mum local contribution the income wealth index shall not be less than  
26 [sixty-five] FORTY percent [(0.65)] (.4) and shall not be more than two  
27 hundred percent (2.0) and provided however that such income wealth index  
28 shall not be more than [ninety-five] ONE HUNDRED TWENTY-FIVE percent  
29 [(0.95)] (1.25) for the two thousand eight--two thousand nine school  
30 year, and provided further that such income wealth index shall not be  
31 less than zero for the two thousand thirteen--two thousand fourteen  
32 school year. The selected actual valuation shall be calculated pursuant  
33 to paragraph c of subdivision one of this section. Total wealth founda-  
34 tion pupil units shall be calculated pursuant to paragraph h of subdivi-  
35 sion two of this section.

36 S 3. This act shall take effect immediately.