

# STATE OF NEW YORK

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532

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

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Introduced by M. of A. GUNTHER, COOK, STECK, CROUCH, HAWLEY, BUTLER,  
GOODELL -- Multi-Sponsored by -- M. of A. BARCLAY, 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 § 2. Subparagraph 4 of paragraph a of subdivision 4 of section 3602 of  
23 the education law, as amended by section 5-a of part A of chapter 56 of  
24 the laws of 2015, is amended to read as follows:

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

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(4) The expected minimum local contribution shall equal the lesser of (i) the product of (A) the quotient arrived at when the selected actual valuation is divided by total wealth foundation pupil units, multiplied by (B) the product of the local tax factor, multiplied by the income wealth index, or (ii) the product of (A) the product of the foundation amount, the regional cost index, and the pupil need index, multiplied by (B) the positive difference, if any, of one minus the state sharing ratio for total foundation aid. The local tax factor shall be established by May first of each year by determining the product, computed to four decimal places without rounding, of ninety percent multiplied by the quotient of the sum of the statewide average tax rate as computed by the commissioner for the current year in accordance with the provisions of paragraph e of subdivision one of section thirty-six hundred nine-e of this part plus the statewide average tax rate computed by the commissioner for the base year in accordance with such provisions plus the statewide average tax rate computed by the commissioner for the year prior to the base year in accordance with such provisions, divided by three, provided however that for the two thousand seven--two thousand eight school year, such local tax factor shall be sixteen thousandths (0.016), and provided further that for the two thousand eight--two thousand nine school year, such local tax factor shall be one hundred fifty-four ten thousandths (0.0154). The income wealth index shall be calculated pursuant to paragraph d of subdivision three of this section, provided, however, that for the purposes of computing the expected minimum local contribution the income wealth index shall not be less than ~~[sixty-five]~~ forty percent ~~[(0.65)]~~ (0.4) and shall not be more than two hundred percent (2.0) and provided however that such income wealth index shall not be more than ~~[ninety-five]~~ one hundred twenty-five percent ~~[(0.95)]~~ (1.25) for the two thousand eight--two thousand nine school year, and provided further that such income wealth index shall not be less than zero for the two thousand thirteen--two thousand fourteen school year. The selected actual valuation shall be calculated pursuant to paragraph c of subdivision one of this section. Total wealth foundation pupil units shall be calculated pursuant to paragraph h of subdivision two of this section.

§ 3. This act shall take effect immediately.