

# STATE OF NEW YORK

10552

## IN ASSEMBLY

May 29, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Cusick) --  
read once and referred to the Committee on Education

AN ACT to amend chapter 507 of the laws of 1974, relating to providing for the apportionment of state monies to certain nonpublic schools, to reimburse them for their expenses in complying with certain state requirements for the administration of state testing and evaluation programs and for participation in state programs for the reporting of basic educational data, in relation to holding harmless such monies due to the COVID-19 pandemic

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 3 of chapter 507 of the laws of 1974, relating to  
2 providing for the apportionment of state monies to certain nonpublic  
3 schools, to reimburse them for their expenses in complying with certain  
4 state requirements for the administration of state testing and evalu-  
5 ation programs and for participation in state programs for the reporting  
6 of basic educational data, as amended by chapter 347 of the laws of  
7 2018, is amended to read as follows:  
8 § 3. Apportionment. a. The commissioner shall annually apportion to  
9 each qualifying school, for school years beginning on and after July  
10 first, nineteen hundred seventy-four, an amount equal to the actual cost  
11 incurred by each such school during the preceding school year for  
12 providing services required by law to be rendered to the state in  
13 compliance with the requirements of the state's pupil evaluation  
14 program, the basic educational data system, regents examinations, the  
15 statewide evaluation plan, the uniform procedure for pupil attendance  
16 reporting, the state's immunization program and other similar state  
17 prepared examinations and reporting procedures.  
18 b. Such nonpublic schools shall be eligible to receive aid based on  
19 the number of days or portion of days attendance is taken and either a  
20 5.0/5.5 hour standard instructional day, or another work day as certi-  
21 fied by the nonpublic school officials, in accordance with the methodol-  
22 ogy for computing salary and benefits applied by the department in  
23 paying aid for the two thousand twelve--two thousand thirteen and prior

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

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1 school years. Such nonpublic schools shall be eligible to receive no  
2 less than the highest of their aid in the last three years notwithstand-  
3 ing the disruption of school functions which would otherwise affect such  
4 schools' eligibility, including but not limited to the inability to  
5 administer state assessments, due to the response of COVID-19.

6 c. The commissioner shall annually apportion to each qualifying  
7 school in the cities of New York, Buffalo and Rochester, for school  
8 years beginning on or after July first two thousand sixteen, an amount  
9 equal to the actual cost incurred by each such school during the preced-  
10 ing school year in meeting the recording and reporting requirements of  
11 the state school immunization program, provided that the state's liabil-  
12 ity shall be limited to the amount appropriated for this purpose.

13 § 2. This act shall take effect immediately.