

STATE OF NEW YORK

10407--A

IN ASSEMBLY

May 23, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Zebrowski)
-- read once and referred to the Committee on Education -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the education law, in relation to building aid ratios
for certain school districts; to establish a fiscal control board for
the East Ramapo central school district and continue the powers and
duties of the monitors appointed to the East Ramapo central school
district, and to provide for accelerated payments to the East Ramapo
central school district; to repeal chapter 89 of the laws of 2016
relating to supplementary funding for dedicated programs for public
school students in the East Ramapo central school district; and
providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Chapter 89 of the laws of 2016, relating to supplementary
2 funding for dedicated programs for public school students in the East
3 Ramapo central school district, is REPEALED.
4 § 2. Definitions. As used in this act:
5 1. "commissioner" shall mean commissioner of education;
6 2. "department" shall mean the state education department;
7 3. "board of education" shall mean the board of education of the East
8 Ramapo central school district;
9 4. "school district" or "district" shall mean the East Ramapo central
10 school district; and
11 5. "superintendent" shall mean the superintendent of the East Ramapo
12 central school district.
13 § 3. Establishment of a fiscal control board. 1. There is hereby
14 established a fiscal control board, that is an independent entity for
15 the district. The board shall consist of seven members, of the seven
16 members, one such member shall be appointed by the governor, one such
17 member shall be appointed by the speaker of the assembly, one such
18 member shall be appointed by the temporary president of the senate, one
19 such member shall be appointed by the minority leader of the assembly,

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

LBD15729-04-4

1 one such member shall be appointed by the minority leader of the senate,
2 and two such members shall be monitors appointed to the district by the
3 commissioner pursuant to section eight of this act; provided, however,
4 that in the event that no such monitor or monitors are currently
5 appointed, such member or members shall be appointed by the commission-
6 er. Provided further, however, that the president of the board of educa-
7 tion shall be a non-voting ex-officio member of the fiscal control
8 board. The president of the board of education shall be entitled to
9 attend all meetings of the fiscal control board, including executive
10 sessions; provided however, that the board president shall not be
11 considered for purposes of establishing a quorum of the fiscal control
12 board, provided further that the board president may be excused from
13 executive session when proposed, pending or current litigation involving
14 the board of education, and any of its individual members, are being
15 discussed.

16 2. Members of the fiscal control board shall be appointed, and may be
17 reappointed, to various terms of up to one to four years, so that one
18 term expires on June 30 of the first year, beginning June 30, 2025, and
19 so that two terms expire on June 30 of the second, third, and fourth
20 years. Notwithstanding any other provision of law to the contrary,
21 appointed members of the fiscal control board shall serve at the pleas-
22 ure of the appointing officer. The commissioner may remove a member of
23 the board for inefficiency, neglect of duty, or misconduct in office
24 after a public hearing on not less than 10 days' written notice and an
25 opportunity to be heard in person or by counsel. Upon removal by the
26 commissioner or upon any other vacancy occurring in the fiscal control
27 board, such vacancy shall be filled by the appointment of a new board
28 member by the appointee of such vacant board seat.

29 3. Notwithstanding any other provision of law to the contrary, to be
30 eligible for appointment to the fiscal control board a person shall:

31 (a) meet the requirements of section 2102 of the education law, except
32 that such appointed positions may be filled by persons who are not qual-
33 ified voters or residents of the school district;

34 (b) not be employees of the school district;

35 (c) not be disqualified from serving under section 2103 of the educa-
36 tion law; and

37 (d) to the extent practicable, have experience in school district
38 finances and one or more of the following areas: elementary and second-
39 ary education, the operation of school districts in New York, educating
40 students with disabilities, and/or educating English language learners.

41 4. The commissioner shall designate a chair and vice-chair from among
42 the members. The chair shall preside over all meetings of the members
43 and shall have such other duties as the members may prescribe. The vice-
44 chair shall preside over all meetings of the members in the absence of
45 the chair and shall have such other duties as the members may prescribe.

46 5. The members of the board shall serve without salary, but each
47 member shall be reimbursed by the district for actual and necessary
48 expenses incurred in the performance of such member's official duties as
49 a member of the fiscal control board. Provided, however, that the moni-
50 tors shall be paid by the district as prescribed in section eight of
51 this act.

52 6. Four members shall constitute a quorum for the transaction of any
53 business or the exercise of any power of the fiscal control board.

54 7. The fiscal control board shall have regular meetings at least once
55 quarterly. Such meetings may be held in tandem with the board of educa-
56 tion meetings. The meetings of the fiscal control board shall be open to

1 the public, but such board may hold executive sessions, at which
2 sessions only the members of such board or the persons invited shall be
3 present. Such meetings shall be held in conformity with the provisions
4 of article 7 of the public officers law. The district shall assist in
5 the logistics of holding such board meetings and incur the costs in
6 conducting such meetings to the same extent as meetings held by the
7 board of education.

8 8. The fiscal control board shall be deemed members of the board of
9 education of the district for purposes of defense and indemnification by
10 the school district pursuant to section 3811 of the education law or
11 section 18 of the public officers law, if applicable, and shall also be
12 eligible for defense and indemnification by the state pursuant to
13 section 17 of the public officers law, provided that such defense and
14 indemnification by the state shall supplement and not supplant the
15 protection provided under the education law.

16 9. The district shall fully cooperate with the fiscal control board
17 including, but not limited to, providing the fiscal control board with
18 access, within 48 hours of such request from the fiscal control board,
19 to any necessary documents and records of the district including access
20 to electronic information systems, databases and planning documents,
21 consistent with all applicable state and federal statutes including, but
22 not limited to: Family Educational Rights and Privacy Act (FERPA)(20
23 U.S.C. § 1232g) and section 2-d of the education law. The fiscal control
24 board may notify the commissioner and board of education in writing when
25 the district has failed to provide the fiscal control board with
26 requested documents or records within such timeframe. Within 7 days, the
27 commissioner shall determine if the district failed to comply and shall
28 order the district to immediately provide the fiscal control board with
29 the requested documents or records.

30 § 4. General powers and duties of the fiscal control board. 1. The
31 fiscal control board shall act in addition to the board of education.
32 Provided, however, that the fiscal control board shall have fiscal
33 control over the district in accordance with the provisions of this act.
34 The fiscal control board shall have all the powers and duties of a board
35 of education of a central school district under the education law, as
36 such powers and duties relate to fiscal policies and decisions. The
37 fiscal control board's authority over the fiscal policies and decisions
38 of the district shall ensure the district maintains or improves current
39 educational programs and facilities. In carrying out their powers and
40 duties, the fiscal control board shall, to the greatest extent practica-
41 ble, account for the unique needs of any racial, ethnic, linguistic, or
42 religious minority groups within the district.

43 2. The fiscal control board shall have the following additional powers
44 and duties:

45 (a) to exercise fiscal control over the district in accordance with
46 section six of this act;

47 (b) to act as the finance board of the district for purposes of the
48 local finance law including, but not limited to, the power to authorize
49 the issuance of bonds and notes;

50 (c) to establish fiscal benchmarks for the district in relation to
51 district revenues and expenditures to stabilize the district's fiscal
52 condition by eliminating the district's fiscal deficit and enabling the
53 maintenance of a balanced budget while maintaining or improving current
54 educational programs and addressing facility needs;

55 (d) to review and revise all current fiscal policies and practices of
56 the district including, but not limited to, policies and practices

1 related to pupil transportation services, use of the district's fund
2 balance, and incurrence of debt;

3 (e) to review, authorize, and approve all contracts of the district.
4 Prior to entering into any contract, the district shall submit a copy of
5 such contract to the fiscal control board, accompanied by an analysis of
6 the projected costs of such agreement. Such submission shall be in such
7 form and shall include such additional information as the control board
8 may prescribe. The fiscal control board shall promptly review the terms
9 of such contract and the supporting information and shall disapprove any
10 contract which, in its judgment, would have a significant negative
11 impact on the fiscal health of the district;

12 (f) to conduct, or contract with an entity to conduct forensic audits
13 of the district and report any in which there is reason to believe a
14 violation of a law, abuse or waste has occurred to the state inspector
15 general. The cost of any such contract shall be paid by the district;

16 (g) to direct the board of education, superintendent, and/or other
17 school district staff to undergo any training as deemed necessary and
18 pursuant to timelines established by the fiscal control board. In no
19 event shall the total number of training hours exceed 15 hours in a
20 single calendar year. Provided, however, the fiscal control board may
21 recommend additional training as deemed necessary;

22 (h) to obtain independent counsel to serve as counsel to the fiscal
23 control board. The cost of such counsel shall be borne by the district;

24 (i) to utilize district staff to the same extent the board of educa-
25 tion utilizes such staff to aid in the performance of their duties;

26 (j) to approve or disapprove all fiscal reports including, but not
27 limited to, treasure's reports, payroll reports, claims audits reports,
28 internal and external audit reports, fund transfer reports; and

29 (k) to do all things necessary to carry out its purposes and exercise
30 powers expressly given and granted in this act.

31 § 5. Board of education meetings. 1. The fiscal control board shall be
32 entitled to attend all meetings of the board of education, including
33 executive sessions; provided however, that the fiscal control board
34 shall not be considered for purposes of establishing a quorum of the
35 board of education, provided further that the fiscal control board may
36 be excused from executive session when proposed, pending or current
37 litigation involving the fiscal control board and any of its individual
38 members, or the department, are being discussed.

39 2. (a) The board of education clerk shall provide the fiscal control
40 board with copies of the board of education agenda and all resolutions
41 and motions on such agenda for each board meeting no later than 72 hours
42 prior to such board meeting. If a proposed resolution or motion is for
43 the purpose of approving a contract or to comply with state law or regu-
44 lation and the date to comply with such law or regulation is within 21
45 days of the board meeting, the board clerk shall provide the fiscal
46 control board with copies of the proposed resolution and proposed
47 contract language at least 7 days prior to such meeting.

48 (b) In the event the fiscal control board is not provided with copies
49 of proposed resolutions or motions 72 hours or 7 days prior to a board
50 meeting, as applicable, the fiscal control board may, at their
51 discretion, remove an item including board resolutions or motions from
52 consideration by the board at such meeting. Upon the failure of the
53 board clerk to provide proposed resolutions or motions as required by
54 this section, the fiscal control board shall provide notice of such
55 failure to the board of education. An item removed from consideration by
56 the fiscal control board may not be reconsidered by the board of educa-

1 tion for a period of 10 days or the next board of education meeting,
2 whichever is later, unless the fiscal control board expressly authorizes
3 consideration at an earlier date.

4 3. In the event that the fiscal control board finds that an adopted
5 resolution or motion, a proposed resolution or motion, or the board of
6 education's failure to act: violates state law, rule, or regulation; is
7 inconsistent with the terms of the long term strategic academic and
8 fiscal improvement plan adopted pursuant to section nine of this act; or
9 is fiscal matter that is under the jurisdiction of the fiscal control
10 board, the fiscal control board may:

11 (a) Override adopted or proposed resolutions or motions by the board
12 of education through the issuance of a directive which shall contain the
13 specific findings as to the necessity of such override and any potential
14 corrective action by the board of education that would address the defi-
15 ciency in such adopted or proposed resolution or motion. The fiscal
16 control board shall provide written notice to the board of education,
17 superintendent and commissioner of their intention to override the
18 adopted or proposed resolution or motion at any time but in no event
19 later than 48 hours after such resolution or motion was adopted by the
20 board of education unless the commissioner has extended the period to
21 override due to extenuating circumstances that necessitate additional
22 time. The override notice shall stay the proceedings of the board of
23 education on such adopted resolution or motion or, if the notice is
24 provided prior to action by the board of education, it shall remove such
25 proposed resolution or motion from consideration by the board of educa-
26 tion pending the issuance of a directive by the fiscal control board.
27 The fiscal control board must submit the directive to the board of
28 education, superintendent and the commissioner no later than 10 days
29 following notice of such override. Upon the issuance of a directive, the
30 override of the board of education's adopted or proposed resolution or
31 motion shall be final and conclusive unless the fiscal control board
32 fails to issue such directive within 10 days or within such period
33 established by the fiscal control board if the period was extended,
34 withdraws such override, or the commissioner overrules the fiscal
35 control boards override within 10 days of the issuance of the directive.
36 The fiscal control board may extend the period to submit such directive,
37 at intervals of 10 additional days for each extension, if the board of
38 education, superintendent or school district employees fail to provide
39 all relevant information requested by the fiscal control board related
40 to the adopted or proposed resolution or motion subject to such override
41 within 48 hours of such request.

42 (b) Submit a resolution for adoption by the board of education. The
43 resolution shall be submitted to the district clerk no later than 48
44 hours prior to the next scheduled board of education meeting who shall
45 cause the resolution to be placed on the next board meeting agenda and a
46 copy to be issued to the board of education, superintendent and commis-
47 sioner accompanied by specific findings as to the necessity of such
48 resolution. The monitor or monitors may direct the board to meet at a
49 date prior to their next scheduled board meeting to take up such resol-
50 ution. The fiscal control board may withdraw the resolution prior to, or
51 during, the next board meeting, if the board of education takes suffi-
52 cient action to resolve the issues contained in the resolution. If the
53 resolution is not withdrawn, it shall be deemed to be adopted at the
54 next board meeting through its submission and shall have the full force
55 and effect as any other resolution adopted by the board of education.

1 § 6. Fiscal control. Notwithstanding any other provision of law to the
2 contrary, the fiscal control board shall have the following powers and
3 duties:

4 1. District's budget and propositions. Notwithstanding sections 2022
5 or 2023-a of the education law, or any other law to the contrary, if the
6 voters fail to approve the district's proposed budget as developed and
7 approved pursuant to section ten of this act, including any propositions
8 submitted therewith involving the expenditure of money or authorizing
9 the levy of a tax, including propositions relating to reserve funds
10 pursuant to section 3651 of the education law, the fiscal control board
11 is hereby authorized and directed to override the voters of the district
12 and deem the budget and/or proposition approved where the passage of
13 such budget and/or proposition is necessary for the fiscal stability of
14 the district or necessary to maintain or improve current educational
15 programs or facilities, as determined by the fiscal control board.

16 2. District transportation. Notwithstanding subdivision 1 of section
17 3635 or subdivision 2 of section 2023 of the education law, or any other
18 law to the contrary, the fiscal control board is hereby authorized and
19 directed to override voter approval of expanded transportation provided
20 to students in the district as prescribed in subdivision 1 of section
21 3635 of the education law where:

22 (a) the district's percentage of transportation expenditures out of
23 the district's total expenditures is significantly above the statewide
24 school district average percentage of transportation expenditures, as
25 determined by the fiscal control board; or

26 (b) the fiscal control board determines that such override is neces-
27 sary for the fiscal stability of the district or necessary to maintain
28 or improve current educational programs or facilities, as determined by
29 the fiscal control board.

30 3. School taxes and school bonds. Notwithstanding section 416 of the
31 education law, section 37.00 of the local finance law, or any other law
32 to the contrary, the fiscal control board may resolve to introduce a
33 proposition involving the expenditure of money, or authorizing the levy
34 of a tax, at any annual or special district meeting for any purpose
35 prescribed in subdivision 1 of section 416 of the education law.
36 Provided, however, that if the voters of the district do not approve
37 such proposition, the fiscal control board is hereby authorized and
38 directed to override the voters of the district and deem the proposition
39 approved where the passage of such proposition is necessary for any
40 purposes prescribed in subdivision 1 of section 416 of the education law
41 including, but not limited to, addressing the facilities needs of the
42 district consistent with the districts five year capital facilities
43 plan, as required pursuant to clause (i) of subparagraph 2 of paragraph
44 b of subdivision 6 of section 3602 of the education law, or for such
45 other purpose relating to the support and welfare of the district, as
46 determined by the fiscal control board. The fiscal control board may
47 convene a special district meeting for the purpose of considering such
48 proposition if the board of education fails to do so.

49 4. Collective bargaining agreements. Notwithstanding any law to the
50 contrary, the fiscal control board shall review and approve or disap-
51 prove any collective bargaining agreements to be entered into, modified,
52 altered, or amended by the district on and after the effective date of
53 this act. Prior to entering into any such collective bargaining agree-
54 ment, the district shall submit a copy of such collective bargaining
55 agreement to the fiscal control board, accompanied by an analysis of the
56 projected costs of such agreement. Such submission shall be in such form

1 and shall include such additional information as the fiscal control
2 board may prescribe. The fiscal control board shall promptly review the
3 terms of such collective bargaining agreement and the supporting infor-
4 mation and shall disapprove any collective bargaining agreement which,
5 in its judgment, would have a significant negative impact on the fiscal
6 health of the district.

7 § 7. Additional authority of commissioner of education. Notwithstand-
8 ing any provision of law to the contrary, the commissioner shall have
9 the authority during the effectiveness of this act to:

10 1. appoint and supervise the superintendent and remove the superinten-
11 dent in accordance with the terms and procedures in the superintendent's
12 contract, as if such removal were by the board of education. Notwith-
13 standing any provision of law to the contrary, the board of education
14 shall not be authorized to remove the superintendent appointed by the
15 commissioner; and

16 2. approve or disapprove appointments of assistant or associate super-
17 intendants, school principals, and other school administrators and
18 supervisors, including tenure appointments.

19 § 8. Appointment of monitor team. 1. In accordance with the powers and
20 duties of the board of regents and the commissioner pursuant to subdivi-
21 sion 2 of section 305 of the education law, section 308 of the education
22 law, and section 215 of the education law, up to 2 monitors shall be
23 appointed by and serve at the pleasure of the commissioner to carry out
24 the provisions of this act including but not limited to providing over-
25 sight, guidance and technical assistance related to the educational and
26 fiscal policies, practices, programs and decisions of the district, the
27 board of education and the superintendent. Provided, however, that the
28 monitors appointment pursuant to former chapter 89 of the laws of 2016,
29 as amended, may continue their appointment under this act.

30 2. The reasonable and necessary expenses incurred by the monitors
31 while performing such monitors official duties shall be paid by the
32 school district.

33 3. The monitors shall provide support and assistance as deemed neces-
34 sary to the additional members of the fiscal control board appointed
35 pursuant to section three of this act in fulfilling their duties under
36 the provisions of this act.

37 4. The board of education, in consultation with the monitors, shall
38 adopt a conflict of interest policy that complies with all existing
39 applicable laws, rules, and regulations, that ensures its board members
40 and administration act in the school district's best interest and comply
41 with applicable legal requirements. The conflict of interest policy
42 shall include, but not be limited to:

43 (a) a definition of the circumstances that constitute a conflict of
44 interest;

45 (b) procedures for disclosing a conflict of interest to the board;

46 (c) a requirement that the person with the conflict of interest not be
47 present at or participate in board deliberations or votes on the matter
48 giving rise to such conflict, provided that nothing in this subdivision
49 shall prohibit the board of education from requesting that the person
50 with the conflict of interest present information as background or
51 answer questions at a board of education meeting prior to the commence-
52 ment of deliberations or voting relating thereto;

53 (d) a prohibition against any attempt by the person with the conflict
54 to influence improperly the deliberation or voting on the matter giving
55 rise to such conflict; and

1 (e) a requirement that the existence and resolution of the conflict be
2 documented in the board's records, including in the minutes of any meet-
3 ing at which the conflict was discussed or voted upon.

4 § 9. Long term strategic academic and fiscal improvement plan. 1. The
5 board of education and the monitors shall continue to annually revise
6 the long term strategic academic and fiscal improvement plan developed
7 pursuant to former section 5 of chapter 89 of the laws of 2016, as
8 amended, and shall annually revise such plan by September first of each
9 year.

10 2. Such plan, including such annual revisions thereto, shall be
11 submitted to the fiscal control board for approval. After approval from
12 the fiscal control board, the plan shall then be submitted to the
13 commissioner.

14 3. Such plan shall include a set of goals with appropriate benchmarks
15 and measurable objectives and identify strategies to address areas where
16 improvements are needed in the district, including but not limited to
17 its financial stability, academic opportunities and outcomes, education
18 of students with disabilities, education of English language learners,
19 the educational, social and emotional welfare of public school students
20 and shall ensure compliance with all applicable state and federal laws
21 and regulations.

22 4. The strategic academic and fiscal improvement plan shall, to the
23 maximum extent possible, consider the demographic makeup of the district
24 and the unique needs of minority racial, ethnic, religious and undocu-
25 mented communities of interest.

26 5. The improvement plan shall also include a comprehensive expenditure
27 plan that will describe how any funds appropriated to the district in
28 addition to those appropriated pursuant to sections 3602 and 3602-e of
29 the education law will be spent in the applicable school year. The
30 comprehensive expenditure plan shall ensure that funds supplement, not
31 supplant, expenditures from local, state and federal funds for services
32 provided to public school students.

33 6. The board of education and the monitors must annually conduct a
34 public hearing on the long term strategic academic and fiscal improve-
35 ment plan and shall consider the input of the community before adopting
36 or revising such plan. Such long term strategic academic and fiscal
37 improvement plan shall also be made publicly available and shall be
38 annually submitted along with comments made by the community to the
39 fiscal control board and then the commissioner for approval once the
40 plan is finalized. Upon review of the long term strategic academic and
41 fiscal improvement plan, the fiscal control board and commissioner shall
42 approve or deny such plan in writing and, if denied, shall include the
43 reasons therefor. The board of education and monitors may resubmit such
44 plan or plans with any needed modifications thereto.

45 7. The monitors may notify the commissioner, the fiscal control board,
46 and the board of education in writing when they deem the district is
47 violating an element of the long term strategic academic and fiscal
48 improvement plan. Within 20 days, the commissioner shall determine
49 whether the district is in violation of any of the elements of the plan
50 highlighted by the monitors and shall order the district to comply imme-
51 diately with the plan and remedy any such violation. The school district
52 shall suspend all actions related to the potential violations of the
53 plan until the commissioner issues a determination.

54 § 10. District budget development and approval. 1. The fiscal control
55 board shall, in consultation with the board of education, annually
56 develop and submit the school district's proposed budget for the next

1 succeeding school year to the commissioner no later than March first
2 prior to the school district's annual budget vote.

3 2. The fiscal control board shall review the budget to ensure that it,
4 to the greatest extent possible:

5 (a) is consistent with the long term strategic academic and fiscal
6 improvement plan developed and adopted pursuant to this act;

7 (b) expands educational programming for students including, but not
8 limited to, extracurricular activities, course offerings, non-mandated
9 support services, non-mandated art and music classes, programs and
10 services for English language learners and students with disabilities,
11 and maintaining class size; and

12 (c) is balanced within the context of revenue and expenditure esti-
13 mates and mandated programs.

14 3. The fiscal control board shall present its findings to the commis-
15 sioner no later than 45 days prior to the date scheduled for the school
16 district's annual budget vote. The commissioner shall require that the
17 fiscal control board make any additional adjustments to the proposed
18 budget if the commissioner determines such adjustments are necessary to
19 ensure that the proposed budget meets the requirements of subdivision 2
20 of this section.

21 4. The school district shall make available on the district's website:
22 the initial proposed budget, the commissioner's adjustments, if any, and
23 the final proposed budget, at least 7 days prior to the date of the
24 school district's budget hearing. The fiscal control board shall provide
25 the commissioner with any information the commissioner requests in order
26 to make a determination pursuant to this section within 3 business days
27 of such request.

28 § 11. Reporting. The district shall provide quarterly reports to the
29 fiscal control board and annual reports to the commissioner and board of
30 regents on the academic, fiscal, and operational status of the school
31 district. In addition, the fiscal control board shall provide semi-annu-
32 al reports to the commissioner, board of regents, the governor, the
33 temporary president of the senate, the speaker of the assembly, and the
34 state comptroller on the academic, fiscal, and operational status of the
35 school district. Such semi-annual report shall include all the contracts
36 that the district entered into throughout the year.

37 § 12. Community advisory board. 1. The community advisory board
38 appointed pursuant to former section 11 of chapter 89 of the laws of
39 2016, as amended, is hereby continued. Such board shall be jointly
40 appointed by the board of education and the superintendent and shall be
41 comprised of 10 persons who either reside in or are employed by the
42 district.

43 2. The community advisory board, to the greatest extent possible,
44 shall include:

45 (a) at least one member who resides within the district and is the
46 parent of a student with special needs whose education is provided for
47 by the district;

48 (b) at least one member for each of the three most common non-English
49 languages spoken by individuals in the district based on the most recent
50 decennial federal census;

51 (c) at least one member who is a member of a civic league or organiza-
52 tion not organized for profit but operated exclusively for the promotion
53 of social welfare whose mission includes advocating for the civil rights
54 of racial and ethnic minority groups;

55 (d) at least one member who is the parent of a public school student;
56 and

1 (e) at least one member who is the parent of a non-public school
2 student.

3 3. Each appointment made to the community advisory board may be used
4 to satisfy more than one of the requirements specified in subdivision 2
5 of this section.

6 4. The community advisory board shall meet with the fiscal control
7 board at least four times each year and shall provide a range of commu-
8 nity perspectives on the important issues affecting the public and non-
9 public schools in the district. Such meetings shall be held in conformi-
10 ty with the provisions of article 7 of the public officers law. The
11 district shall assist in the logistics of holding such meetings and
12 incur the costs in conducting such meetings to the same extent as meet-
13 ings held by the board of education.

14 5. The members of the community advisory board shall receive no
15 compensation for their services.

16 6. Each member of the community advisory board shall serve for a term
17 of one year. The superintendent and board shall jointly appoint or reap-
18 point members when a term expires. The superintendent and board shall
19 have the power to fill a vacancy.

20 § 13. Fiscal control period. The fiscal control period of the fiscal
21 control board shall begin as of the effective date of this act.
22 Provided, however, that the fiscal control board shall no longer have
23 fiscal control as prescribed in this act upon such date that the fiscal
24 control board determines that the district has met the fiscal benchmarks
25 established by such board and the goals set in the long term strategic
26 academic and fiscal improvement plan and has maintained such benchmarks
27 and goals for a period of three school years. The fiscal control board
28 shall submit a report to the governor, the temporary president of the
29 senate, the speaker of the assembly, and the commissioner with documen-
30 tation and analyses demonstrating the basis for such determination.
31 Provided further that if at any time the district fails to meet the
32 fiscal benchmarks established by the fiscal control board, or the goals
33 set forth in the long term strategic academic and fiscal improvement
34 plan, as determined by the fiscal control board, the fiscal control
35 board's control period shall be reinstated. Provided further that in no
36 event shall the fiscal control board's control period continue beyond
37 the period when all bonds and notes authorized to be issued by the
38 fiscal control board expire, or June 30, 2050, whichever is later.

39 § 14. Payment. The East Ramapo central school district shall be paid
40 on an accelerated schedule as follows:

41 1. (a) Notwithstanding any other provisions of law, for aid payable in
42 the school years 2024-2025 through 2053-2054 upon application to the
43 commissioner of education submitted not sooner than the second Monday in
44 July of the school year in which such aid is payable and not later than
45 the Friday following the third Monday in July of the school year in
46 which such aid is payable, or 10 days after the effective date of this
47 act, whichever shall be later, the East Ramapo central school district
48 shall be eligible to receive an apportionment pursuant to this act in an
49 amount equal to the product of \$20,000,000 and the quotient of the posi-
50 tive difference of thirty minus the number of school years elapsed since
51 the 2024-2025 school year divided by thirty.

52 (b) Funds apportioned pursuant to this subdivision shall be used for
53 services and expenses of the East Ramapo central school district and
54 shall be applied in support of its educational programs and any liabil-
55 ity incurred by such central school district in carrying out its func-
56 tions and responsibilities under the education law.

1 2. The claim for an apportionment to be paid to the East Ramapo
2 central school district pursuant to subdivision 1 of this section shall
3 be submitted to the commissioner on a form prescribed for such purpose,
4 and shall be payable upon determination by such commissioner that the
5 form has been submitted as prescribed and that the school district has
6 complied with the reporting requirements of this act. For each school
7 year in which application is made pursuant to subdivision 1 of this
8 section, such approved amount shall be payable on or before July thir-
9 ty-first of such school year upon the audit and warrant of the state
10 comptroller on vouchers certified or approved by the commissioner in the
11 manner prescribed by law from moneys appropriated from the general fund
12 for general support for public schools due such school district pursuant
13 to section 3609-a of the education law.

14 3. Notwithstanding the provisions of section 3609-a of the education
15 law, an amount equal to the amount paid to the East Ramapo central
16 school district during the current year pursuant to subdivisions 1 and 2
17 of this section shall first be deducted from payments due during the
18 current school year pursuant to subparagraphs 4 and 5 of paragraph a of
19 subdivision 1 of section 3609-a of the education law in the following
20 order: the fixed fall payments payable pursuant to subparagraph 4 of
21 such paragraph, and any remainder to be deducted from the individualized
22 payments due to the district pursuant to paragraph b of such subdivision
23 shall be deducted on a chronological basis starting with the earliest
24 payment due the district.

25 4. Notwithstanding any other provisions of law, the sum of payments
26 made to the East Ramapo central school district during the base year
27 pursuant to subdivisions 1 and 2 of this section plus payments made to
28 such school district during the current year pursuant to section 3609-a
29 of the education law shall be deemed to truly represent all aids paid to
30 such school district during the current school year pursuant to such
31 section for the purposes of computing any adjustments to such aids that
32 may occur in a subsequent school year.

33 (a) On or before the first day of each month beginning in July 2024
34 and ending in June 2054, the chief fiscal officer and the superintendent
35 of the district shall prepare and submit to the board of education and
36 monitors, so long as these roles are filled, a report of the fiscal
37 condition of the school district, including but not limited to the most
38 current available data on fund balances on funds maintained by the
39 school district and the district's use of the apportionments provided
40 pursuant to subdivisions 1 and 2 of this section.

41 (b) Such monthly report shall be in a format prescribed by the commis-
42 sioner. The board of education and monitors shall either reject and
43 return the report to the chief fiscal officer and the superintendent for
44 appropriate revisions and resubmittal or shall approve the report and
45 submit copies to the commissioner and the state comptroller of such
46 approved report as submitted or resubmitted.

47 (c) In the 2024-2025 through 2053-2054 school years, the chief fiscal
48 officer of the district shall monitor all budgets and for each budget,
49 shall prepare a quarterly report of summarized budget data depicting
50 overall trends of actual revenues and budget expenditures for the entire
51 budget as well as individual line items. Such report shall compare
52 revenue estimates and appropriations as set forth in such budget with
53 the actual revenues and expenditures made to date. All quarterly reports
54 shall be accompanied by a recommendation from the superintendent or
55 chief fiscal officer to the board of education setting forth any remedi-
56 al actions necessary to resolve any unfavorable budget variance includ-

1 ing the overestimation of revenue and underestimation of appropriations.
2 The chief fiscal officer shall also prepare, as part of such report, a
3 quarterly trial balance of general ledger accounts in accordance with
4 generally accepted accounting principles as prescribed by the state
5 comptroller. All reports shall be completed within sixty days after the
6 end of each quarter and shall be submitted to the chief fiscal officer
7 and the board of education, the state division of budget, the office of
8 the state comptroller, the commissioner, the chair of the assembly ways
9 and means committee, and the chair of the senate finance committee.

10 § 15. Subparagraph 1 of paragraph e of subdivision 3 of section 3602
11 of the education law, as added by section 13 of part B of chapter 57 of
12 the laws of 2007, is amended to read as follows:

13 (1) The actual valuation of such district shall be divided by its
14 resident weighted average daily attendance as computed pursuant to this
15 section to determine its actual valuation per resident pupil, provided
16 however that for the two thousand twenty-four--two thousand twenty-five
17 school year and thereafter, for any school district where resident
18 nonpublic school district enrollment shall exceed resident public school
19 district enrollment, the actual valuation per resident pupil shall be
20 equal to its actual valuation divided by the sum of (i) its resident
21 weighted average daily attendance plus (ii) one half of the resident
22 nonpublic school district enrollment for the base year.

23 § 16. Severability. If any provision of this act, or any application
24 of any provision of this act, is held to be invalid, that shall not
25 affect the validity or effectiveness of any other provision of this act,
26 or of any other application of any provision of this act, which can be
27 given effect without that provision or application; and to that end, the
28 provisions and applications of this act are severable.

29 § 17. This act shall take effect on the sixtieth day after it shall
30 have become a law; provided however, that the governor, the temporary
31 president of the senate, and the speaker of the assembly are hereby
32 authorized to appoint the members of the fiscal control board on or
33 before such effective date. Provided, further that this act shall expire
34 and be deemed repealed upon expiration of the fiscal control period
35 pursuant to section fourteen of this act. The governor shall notify the
36 legislative bill drafting commission upon expiration of the fiscal
37 control period pursuant to section fourteen of this act in order that
38 the commission may maintain an accurate and timely effective data base
39 of the official text of the laws of the state of New York in furtherance
40 of effectuating the provisions of section 44 of the legislative law and
41 section 70-b of the public officers law.