STATE OF NEW YORK

10671

IN ASSEMBLY

August 28, 2024

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

AN ACT in relation to apportioning funds to the East Ramapo central school district for services and expenses

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

Section 1. Legislative intent. The legislature hereby finds and declares that the East Ramapo central school district faces a substantial budgetary shortfall and absent legislative intervention, the district is at risk of being unable to pay its staff, and students attending the public schools in the district will suffer. In recognition of this crisis, the legislature hereby provides the East Ramapo central school district with an accelerated payment of twenty million dollars ($20,000,000) to provide the funds necessary for the district to meet its payroll obligations.

§ 2. The East Ramapo central school district shall be paid on an accelerated schedule as follows:

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

(2) Funds apportioned pursuant to this subdivision shall be used for services and expenses of the East Ramapo central school district and shall be applied in support of its educational programs and any liability incurred by such central school district in carrying out its functions and responsibilities under the education law.

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

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

(c) Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to the East Ramapo central school district during the current year pursuant to subdivisions (a) and (b) of this section shall first be deducted from payments due during the current school year pursuant to subparagraphs 4 and 5 of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the fixed fall payments payable pursuant to subparagraph 4 of paragraph a of subdivision 1 of section 3609-a of the education law, and any remainder to be deducted from the individualized payments due to the district pursuant to paragraph b of subdivision 1 of section 3609-a of the education law shall be deducted on a chronological basis starting with the earliest payment due the district.

(d) Notwithstanding any other provisions of law, the sum of payments made to the East Ramapo central school district during the base year pursuant to subdivisions (a) and (b) of this section plus payments made to such school district during the current year pursuant to section 3609-a of the education law shall be deemed to truly represent all aids paid to such school district during the current school year pursuant to section 3609-a of the education law for the purposes of computing any adjustments to such aids that may occur in a subsequent school year.

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

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

(3) In the 2024-2025 through 2053-2054 school years, the chief fiscal officer of the district shall monitor all budgets and for each budget, prepare a quarterly report of summarized budget data depicting overall trends of actual revenues and budget expenditures for the entire budget as well as individual line items. Such report shall compare revenue estimates and appropriations as set forth in such budget with the actual revenues and expenditures made to date. All quarterly reports shall be accompanied by a recommendation from the superintendent or chief fiscal

officer to the board of education setting forth any remedial actions necessary to resolve any unfavorable budget variance including the over-estimation of revenue and underestimation of appropriations. The chief fiscal officer shall also prepare, as part of such report, a quarterly trial balance of general ledger accounts in accordance with generally accepted accounting principles as prescribed by the state comptroller. All reports shall be completed within sixty days after the end of each quarter and shall be submitted to the chief fiscal officer and the board of education, the state division of budget, the office of the state comptroller, the commissioner of education, the chair of the assembly ways and means committee, and the chair of the senate finance committee.

§ 3. This act shall take effect immediately.