

# STATE OF NEW YORK

3107--A

2023-2024 Regular Sessions

## IN SENATE

January 27, 2023

Introduced by Sen. MANNION -- read twice and ordered printed, and when printed to be committed 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 aid payable to low spending high need school districts

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

Section 1. Section 3602 of the education law is amended by adding a new subdivision 21 to read as follows:

21. Supplemental low spending high need aid. a. For aid payable in the two thousand twenty-four--two thousand twenty-five school year and thereafter, school districts shall be eligible for an additional apportionment equal to the product of the aid per pupil as defined pursuant to subparagraph six of paragraph b of this subdivision, multiplied by public school district enrollment as computed pursuant to paragraph n of subdivision one of this section.

b. For purposes of this subdivision, the following terms shall have the following meanings:

(1) "Regional average spending" shall be equal to the sum of the expense per pupil as computed pursuant to paragraph f of subdivision one of this section for all districts within each labor force region, divided by the number of districts in each respective labor force region.

(2) "Labor force region" for each district shall have the same meaning as defined pursuant to subparagraph two of paragraph a of subdivision four of this section, provided that a city school district in a city having a population of one million or more shall be assigned to the New York City labor force region.

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

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1 (3) "Needs resource index" shall be equal to the extraordinary needs  
2 index divided by the combined wealth ratio computed pursuant to subpara-  
3 graph one of paragraph c of subdivision three of this section.

4 (4) "Extraordinary needs index" shall be equal to the extraordinary  
5 needs percent as computed pursuant to paragraph w of subdivision one of  
6 this section divided by the statewide average of such extraordinary  
7 needs index.

8 (5) "Low spending percent" shall be equal to the quotient of the posi-  
9 tive difference, if any, of the regional average spending less the  
10 expense per pupil as computed pursuant to paragraph f of subdivision one  
11 of this section, divided by the regional average spending.

12 (6) "Aid per pupil" shall be equal to (i) the product of the positive  
13 difference, if any, of the needs resource index less one (1.0), (ii)  
14 multiplied by the positive difference, if any, of the low spending  
15 percent less one-tenth (0.10), (iii) multiplied by two hundred fifty  
16 dollars, provided that the aid per pupil shall not exceed seven hundred  
17 fifty dollars.

18 § 2. Subparagraph (ii) of paragraph j of subdivision 1 of section 3602  
19 of the education law, as amended by section 4 of part A of chapter 56 of  
20 the laws of 2022, is amended to read as follows:

21 (ii) For aid payable in the two thousand eight--two thousand nine  
22 school year and thereafter, the total foundation aid base shall equal  
23 the total amount a district was eligible to receive in the base year  
24 pursuant to subdivision four of this section plus foundation aid mainte-  
25 nance of equity aid pursuant to subdivision four-a of this section plus  
26 supplemental low spending high need aid calculated pursuant to subdivi-  
27 sion twenty-one of this section.

28 § 3. Subparagraph (ii) of paragraph j of subdivision 1 of section 3602  
29 of the education law, as amended by section 11 of part B of chapter 57  
30 of the laws of 2007, is amended to read as follows:

31 (ii) For aid payable in the two thousand eight--two thousand nine  
32 school year and thereafter, the total foundation aid base shall equal  
33 the total amount a district was eligible to receive in the base year  
34 pursuant to subdivision four of this section plus supplemental low  
35 spending high need aid calculated pursuant to subdivision twenty-one of  
36 this section.

37 § 4. This act shall take effect immediately; provided, however, that  
38 the amendments to subparagraph (ii) of paragraph j of subdivision 1 of  
39 section 3602 of the education law made by section two of this act shall  
40 be subject to the expiration and reversion of such subparagraph pursuant  
41 to section 35 of part A of chapter 56 of the laws of 2022, as amended,  
42 when upon such date the provisions of section three of this act shall  
43 take effect.