

# STATE OF NEW YORK

9833

## IN SENATE

June 3, 2024

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1 Section 1. Legislative intent. The legislature hereby finds and  
2 declares that the East Ramapo central school district is facing a fiscal  
3 crisis. As a result of the repeated failure to adopt a budget which  
4 meets the basic needs of its public school students, the district faces  
5 a substantial budgetary shortfall. Absent legislative intervention, the  
6 district is at risk of being unable to pay its staff, and students  
7 attending the public schools in the district will suffer. In recognition  
8 of this failure, the legislature hereby provides the East Ramapo central  
9 school district with an accelerated payment of twenty million dollars  
10 (\$20,000,000) to provide the funds necessary for the district to meet  
11 its payroll obligations. The district shall utilize the funds solely for  
12 the benefit of the public school students within the district. Addi-  
13 tionally, the legislature orders the district to increase its property  
14 tax levy for the 2024-2025 school year by not less than one percent. The  
15 monitors appointed to oversee the school district are called to ensure  
16 that the increased resources are used solely for the benefit of the  
17 public schools. Should the East Ramapo central school district fail to  
18 meet any of the requirements contained herein, the legislature will move  
19 to implement a fiscal control board pursuant to legislative bill number  
20 A. 10407-A of 2023.

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

23 (a) (1) Notwithstanding any other provisions of law, for aid payable  
24 in the school years 2024-2025 through 2053-2054 upon application to the  
25 commissioner of education, submitted not sooner than the second Monday  
26 in July of the school year in which such aid is payable and not later  
27 than the Friday following the third Monday in July of the school year in  
28 which such aid is payable, or ten days after the effective date of this

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

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1 act, whichever shall be later, the East Ramapo central school district  
2 shall be eligible to receive an apportionment pursuant to this act in an  
3 amount equal to the product of twenty million dollars (\$20,000,000) and  
4 the quotient of the positive difference of thirty minus the number of  
5 school years elapsed since the 2024-2025 school year divided by thirty.

6 (2) Funds apportioned pursuant to this subdivision shall be used for  
7 services and expenses of the East Ramapo central school district and  
8 shall be applied in support of its educational programs and any liability  
9 incurred by such central school district in carrying out its functions  
10 and responsibilities under the education law. Such funds shall be  
11 utilized to supplement, not supplant, funding for the educational opportunities  
12 of students attending the public schools in the district. The  
13 monitor team established pursuant to chapter 173 of the laws of 2021  
14 shall certify to the commissioner of education that such funds are  
15 utilized pursuant to this paragraph. In no event shall such funds be  
16 utilized to increase spending for students who do not attend public  
17 school.

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

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

44 (d) Notwithstanding any other provisions of law, the sum of payments  
45 made to the East Ramapo central school district during the base year  
46 pursuant to subdivisions (a) and (b) of this section plus payments made  
47 to such school district during the current year pursuant to section  
48 3609-a of the education law shall be deemed to truly represent all aids  
49 paid to such school district during the current school year pursuant to  
50 section 3609-a of the education law for the purposes of computing any  
51 adjustments to such aids that may occur in a subsequent school year.

52 (e) (1) On or before the first day of each month beginning in July  
53 2024 and ending in June 2054, the chief fiscal officer and the superintendent  
54 of schools of the district shall prepare and submit to the  
55 board of education and monitors, so long as these roles are filled, a  
56 report of the fiscal condition of the school district, including but not

1 limited to the most current available data on fund balances on funds  
2 maintained by the school district and the district's use of the appor-  
3 tionments provided pursuant to subdivisions (a) and (b) of this section.

4 (2) Such monthly report shall be in a format prescribed by the commis-  
5 sioner of education. The board of education and monitors shall either  
6 reject and return the report to the chief fiscal officer and the super-  
7 intendent for appropriate revisions and resubmittal or shall approve the  
8 report and submit copies to the commissioner of education and the state  
9 comptroller of such approved report as submitted or resubmitted.

10 (3) In the 2024-2025 through 2053-2054 school years, the chief fiscal  
11 officer of the district shall monitor all budgets and for each budget,  
12 prepare a quarterly report of summarized budget data depicting overall  
13 trends of actual revenues and budget expenditures for the entire budget  
14 as well as individual line items. Such report shall compare revenue  
15 estimates and appropriations as set forth in such budget with the actual  
16 revenues and expenditures made to date. All quarterly reports shall be  
17 accompanied by a recommendation from the superintendent or chief fiscal  
18 officer to the board of education setting forth any remedial actions  
19 necessary to resolve any unfavorable budget variance including the over-  
20 estimation of revenue and underestimation of appropriations. The chief  
21 fiscal officer shall also prepare, as part of such report, a quarterly  
22 trial balance of general ledger accounts in accordance with generally  
23 accepted accounting principles as prescribed by the state comptroller.  
24 All reports shall be completed within sixty days after the end of each  
25 quarter and shall be submitted to the chief fiscal officer and the board  
26 of education, the state division of budget, the office of the state  
27 comptroller, the commissioner of education, the chair of the assembly  
28 ways and means committee, and the chair of the senate finance committee.

29 § 3. The East Ramapo central school district shall be required to  
30 adopt a property tax levy for the 2024-2025 school year in an amount not  
31 less than one percent greater than the property tax levy for the  
32 2023-2024 school year. Such additional revenues shall be utilized to  
33 supplement, not supplant, funding for the educational opportunities of  
34 students attending the public schools in the district. The monitor team  
35 established pursuant to chapter 173 of the laws of 2021 shall certify to  
36 the commissioner of education that the additional revenues are utilized  
37 pursuant to this section. In no event shall additional revenues be  
38 utilized to increase spending for students who do not attend public  
39 school.

40 § 4. The commissioner of education shall appoint a community liaison  
41 to serve the interests of the public school community. The community  
42 liaison shall serve as a point of contact between the board of educa-  
43 tion, the monitor team established pursuant to chapter 173 of the laws  
44 of 2021, and the community. The liaison shall have cultural and linguis-  
45 tic competency specific to the population of students enrolled in the  
46 public schools, and meet the requirements of section 2102 of the educa-  
47 tion law. The liaison shall have the authority to work directly with the  
48 superintendent of the district and the monitors. The liaison shall serve  
49 at the pleasure of the commissioner of education. If the commissioner  
50 of education determines the liaison appointed pursuant to this section  
51 no longer represents the interests of the public school community, the  
52 commissioner of education shall have the authority to remove the liai-  
53 son. Upon removal by the commissioner of education or upon any other  
54 vacancy of the position of the liaison, the commissioner of education  
55 shall fill the vacancy of the liaison pursuant to this section. The East  
56 Ramapo central school district shall make an amount equal to up to two

1 hundred fifty thousand dollars (\$250,000) available for the reasonable  
2 and necessary expenses of the liaison while performing the liaison offi-  
3 cial duties. Notwithstanding any other provision of law, the liaison  
4 shall be entitled to defense and indemnification by the school district  
5 to the same extent as a school district employee.  
6 § 5. This act shall take effect immediately.