

A child's drawing on a blue background featuring six smiling faces of various sizes and colors (yellow, orange, pink) and a yellow sun with black rays in the top right corner. The drawing is done with black outlines and colored markers or crayons.

**NEW YORK STATE SENATE  
COMMITTEE ON EDUCATION**

**2009 ANNUAL REPORT**  
Senator Suzi Oppenheimer, Chair

**Cover Art by Gustavo Morales, Age 6, Trinity Elementary School, New Rochelle**



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STATE  
SENATE

ALBANY, NEW YORK, 12247

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HIGHER EDUCATION  
LOCAL GOVERNMENT

January 2010

Hon. John L. Sampson, Majority Conference Leader  
Hon. Malcolm A. Smith, Temporary President  
Hon. Pedro Espada Jr., Majority Leader  
New York State Senate

Dear Senators:

I am proud to present this 2009 Annual Report of the Standing Committee on Education. The report documents a year in which the Education Committee set an agenda for educational reform.

In a year in which the economy teetered on the brink of collapse, the Education Committee was steadfast in our determination to maintain school aid funding at previous levels. While the Governor's budget provided for an across-the-board reduction in school aid, the Senate was instrumental in maintaining state aid to schools. When state revenues began to fall later in the year, and the Governor proposed a deficit reduction plan that included mid-year cuts to schools, again the Senate held fast and refused to cut school aid. It was a year in which the Senate proved that it places our children's education atop its list of priorities.

This year saw the enactment of legislation extending the Mayor's authority to oversee the New York City school district. While there was heated debate on the issue, the legislation passed the Senate with overwhelming support. In addition, the Senate passed four amendments to the bill which would create a school arts council; establish a parent training center in each borough; clarify the duties of community superintendents; and alter the powers of the Chancellor.

As we move forward with the 2010 legislative session, I am confident that the Senate will continue to make our children's education a top priority. A major focus of the committee will be to continue to advance measures to promote shared services with the goal of lowering school district costs.

Warmest regards,

Suzi Oppenheimer

## Ten Lessons the Arts Teach

The arts teach children to make good judgments about qualitative relationships. Unlike much of the curriculum in which correct answers and rules prevail, in the arts, it is judgment rather than rules that prevail.

The arts teach children that problems can have more than one solution and that questions can have more than one answer.

The arts celebrate multiple perspectives. One of their large lessons is that there are many ways to see and interpret the world.

The arts teach children that in complex forms of problem-solving purposes are seldom fixed, but change with circumstance and opportunity. Learning in the arts requires the ability and willingness to surrender to the unanticipated possibilities of the work as it unfolds.

The arts make vivid the fact that words do not, in their literal form or number, exhaust what we can know. The limits of our language do not define the limits of our cognition.

The arts teach students that small differences can have large effects. The arts traffic in subtleties.

The arts teach students to think through and within a material. All art forms employ some means through which images become real.

The arts help children learn to say what cannot be said. When children are invited to disclose what a work of art helps them feel, they must reach into their poetic capacities to find the words that will do the job.

The arts enable us to have experience we can have from no other source and through such experience to discover the range and variety of what we are capable of feeling.

The arts' position in the school curriculum symbolizes to the young what adults believe is important.

*Source: Elliott Eisner, in Beyond Creating: The Place for Art in America's Schools. Getty Center for Education in the Arts. 1985 p. 69.*



CONGRATULATIONS TO THE WINNERS  
OF THE SENATE EDUCATION COMMITTEE  
2009 ANNUAL REPORT  
ART COMPETITION

First Place

Gustavo Morales, Age 6  
Trinity Elementary School

Runners Up

Victoria Lema, Age 6  
Brookside School

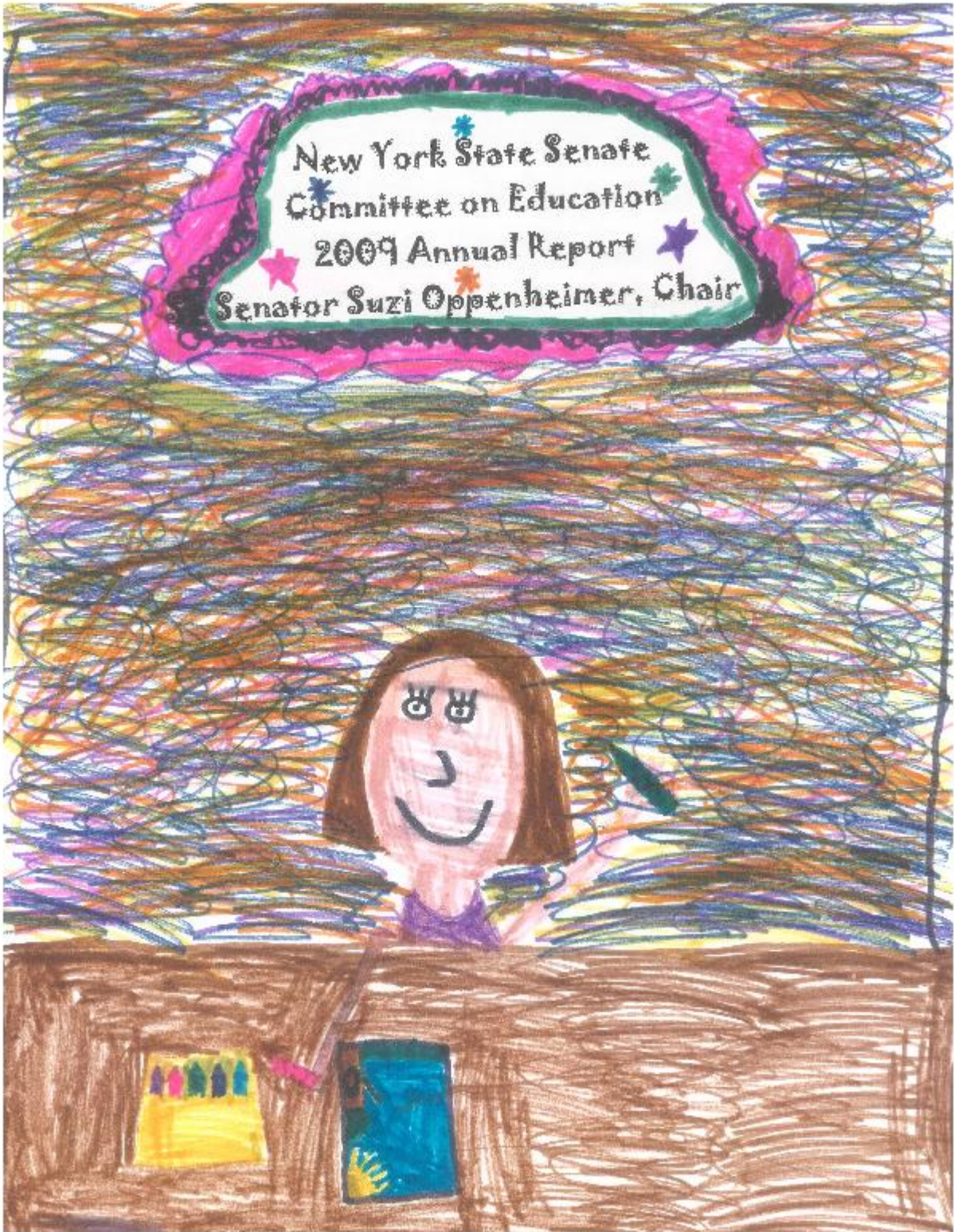
Richard Nioras, Age 9  
BMP Ridge Street Elementary School

Sofia Scappatura, Age 7  
BMP Ridge Street Elementary School

Lola Stanisic, Age 6  
Brookside School

Sabrina Vuong, Age 7  
BMP Ridge Street Elementary School

Special thanks to the art teachers who encouraged  
their students to enter the contest



Artwork by Victoria Lema, Age 6, Brookside Elementary School, Ossining

# 2009 Annual Report New York State Senate Committee on Education

Senator Suzi Oppenheimer, Chair



Senator John J. Flanagan  
Ranking Minority Member



Senator Joseph P. Addabbo, Jr.



Senator Kenneth P. LaValle



Senator Neil D. Breslin



Senator Elizabeth O'C. Little



Senator Stephen M. Saland



Senator Pedro Espada, Jr.



Senator Carl L. Marcellino



Senator José M. Serrano



Senator Brian X. Foley



Senator Velmanette Montgomery



Senator James L. Seward



Senator Shirley L. Huntley



Senator Thomas P. Morahan



Senator Daniel Squadron



Senator Craig M. Johnson



Senator Frank Padavan



Senator Toby Ann Stavisky



Artwork by Richard Nioras, Age 9, BMP Ridge Street Elementary School, Rye Brook



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New York State Senate

Committee on Education

2009 Annual Report

Senator Suzi Oppenheimer, Chair



Artwork by Sofia Scappatura, Age 7, BMP Ridge Street Elementary School, Rye Brook

## **School Aid under the 2009-2010 Enacted Budget**

Under the Governor's proposed budget, \$20.7 billion was appropriated for school aid, which was a decrease of \$698 million from 2008-2009. In addition, the Governor's proposed budget eliminated funding for Teacher Centers, the Teacher/Mentor Intern Program, Math/Science Initiatives, and the Comprehensive Attendance Program for non-public schools. The proposed budget would have also shifted 15% of the cost of preschool special education directly to school districts, which would have forced schools to raise local taxes.

Under the 2009-10 Enacted Budget, which was passed on April 2, 2009, New York State school aid totaled approximately \$21.9 billion, an increase of \$405 million or 1.9 percent. When combined with other federal economic recovery aid (the American Recovery and Reinvestment Act) through Title I of the Elementary and Secondary Education Act (\$454 million) and Individuals with Disabilities Education Act programs (\$398 million), support for school districts was increased by approximately \$1.2 billion.

### **Foundation Aid:**

Foundation Aid accounts for approximately 70 percent of all school aid. Foundation Aid was maintained at 2008-09 levels (\$14.8 billion) for the 2009-10 school year. The Executive and Legislature maintained the commitment to fully phase-in Foundation Aid, but in recognition of the State's deteriorating fiscal condition, Foundation Aid will now be fully phased-in by 2013-14. Under the original schedule the formula would have been fully phased-in with the 2010-11 State budget.

### **Expense Driven Aids:**

The 2009-2010 State Budget fully funded all expense-based aids, including Transportation Aid (\$1.6 billion), Building Aid (\$2.3 billion), BOCES Aid (\$918 million), and aid for special education students (\$774 million). These wealth-adjusted formulas provide State Aid reimbursement for specific activities, and provide greater levels of state reimbursement to low wealth school districts.

### **Contract For Excellence:**

The budget continued the Contract for Excellence Program (C4E) for 2009-10. This program requires 32 school districts with academic shortcomings (including all of the Big 5 cities' school districts) to maintain funding levels on specific proven education programs, such as class size reduction, to assist in improving student performance levels.

### **Charter Schools:**

Tuition payments made by school districts to charter schools were frozen at 2008-09 levels for the 2009-2010 school year, reflecting the fact that Foundation Aid was also maintained at 2008-09 levels. Charter schools that experience enrollment increases will receive funding for those additional pupils.

**Universal Pre-kindergarten:**

The 2009-2010 budget provided a total of \$375.2 million for Universal Pre-kindergarten. Districts are eligible to receive a grant, although it may not exceed the 2008-09 Universal Pre-kindergarten grant amount set forth in the computer run for the 2009-10 enacted budget.

**Teacher Centers:**

Funding is maintained for this \$40 million discretionary grant program that offers both online and classroom-based professional development activities for teachers.

**Preschool Special Education:**

The additional federal funding provided by the American Recovery and Reinvestment Act allowed for the elimination of an Executive proposal to have school districts pay a 15% share of preschool special education costs. This saved school districts \$185 million in 2009-10.

**Full Day K Conversion:**

A total of \$5.5 million for Full Day Kindergarten Conversion Aid was provided to eligible districts that offered either half day or no kindergarten programs in the base year. Schools must offer full-day programs to all kindergarten students in order to qualify for this aid.

**Library Aid:**

Operating support to public libraries, library systems and reference and research libraries was partially restored in the Enacted Budget. This restoration is \$10.5 million, bringing the total funding in 2009-10 to \$91.1 million.

**Public Broadcasting Aid:**

Operating aid to public television and radio stations was partially restored in the Enacted Budget. After this restoration of \$5.6 million, funding for Public Broadcasting totaled \$15 million.

**Education Grants Academic Enhancement:**

For the 2009-10 school year, \$17.5 million is provided for supplemental education improvement programs in the Yonkers City School District and up to \$1.2 million for the New York City School District for academic achievement grants. The 2009-10 Academic Enhancement Aid is the same as the 2008-09 Academic Enhancement Aid amount set forth in the computer run for the 2009-10 enacted budget.

**High Tax Aid:**

A total of \$204.8 million was provided in the 2009-10 Enacted Budget for High Tax Aid, which is granted to those school districts with the highest property tax burden compared to wealth. This amount remained unchanged from the 2008-2009 enacted budget.

## Deficit Reduction Plan

On October 30, 2009 the Division of Budget (DOB) estimated that the General Fund had a budget gap of \$3.2 billion in the current fiscal year. The Governor proposed a deficit reduction plan (DRP) which included a \$480 million state fiscal year cut to school districts. The Senate vehemently opposed any mid-year funding cuts to schools, as it is widely understood that mid-year cuts to schools are more devastating than cuts that take place from year to year.

On December 2, 2009 the New York State Senate passed a bipartisan deficit reduction plan (DRP) that protected jobs, and avoided a serious reduction of services to students. The DRP helped close nearly all of the \$3 billion budget gap that this state had been facing, and put New York back on sound fiscal footing.

Prior to the passage of the deficit reduction plan, the Senate conducted four statewide budget hearings. Throughout the hearings, the Senate heard testimony from thousands of individuals and school leaders who expressed an overwhelming desire to prevent mid-year cuts to education.

The DRP, which took weeks of negotiations, included a series of mid-year cuts and one time legislative actions that were designed to help New York state close its deficit, and in the process, balance its budget for the remainder of the fiscal year. In the end, while the process may have taken longer than some of us would have preferred, the end result reflected the care that was taken to ensure prudent reductions in state spending.

Due to the Senate's refusal to cut school aid, school districts across the state are better positioned to avoid raising property taxes next year. By holding the line on any school aid cuts, the Senate was able to guarantee essential services to all New York state children, thus ensuring that the children of our state will continue to receive an exemplary education regardless of their economic circumstances. These victories were hard-fought, but give faith that the Senate Majority Conference will be able to chart a new course of action to lead our state toward a more sustainable economy in 2010.

Unfortunately, Governor Paterson demanded that cuts be made to school districts in spite of the Legislature's unwillingness to do so, and unilaterally withheld \$750 million in scheduled payments to schools and local governments, saying that strong action was necessary to protect New York State from insolvency. The Governor stated that the payments would be made when the money became available. The Senate believes that the Governor's actions are unconstitutional, and a court challenge has been initiated by New York State United Teachers; New York State School Boards Association; New York State Council of School Superintendents; and the School Administrators Association of New York State. A court hearing is due in January of 2010.

On January 14, 2010, the Governor released the delayed payments, making good on his promise. It is unclear whether the court challenge will continue.



Senator Oppenheimer welcomes attendees during the public hearing on Long Island while Senators Brian Foley, and Kenneth LaValle look on.

### **Public Hearings - *BOCES as a Model for Taxpayer Savings***

In the month of October, the Senate Education Committee conducted three public hearings around New York State, all of which addressed the topic of *BOCES as a Model for Taxpayer Savings*. During these hearings, conducted in Long Island, Buffalo, and Watertown, both educational and municipal organizations testified on the different ways in which BOCES could be better utilized to help the state save money. Among the many groups that testified were the New York State School Boards Association (NYSSBA), the New York State Council of School Superintendents (NYSCOSS), the School Administrators Association of New York State (SAANYS), the New York Association for Pupil Transportation (NYAPT), the New York Charter Schools Association (NYCSA), the University of Buffalo's Regional Institute, as well as various governmental officials, superintendents and financial officers of school districts and BOCES around the state.

Throughout these hearings, which were spearheaded by Chairwoman Suzi Oppenheimer, various ideas and reforms were presented that advocates believe could improve BOCES and their ability to provide services that would save money for their component districts and other educational providers, as well as municipalities.

The testimony most often provided at the three hearings was a request for amendments to state law which would allow BOCES to, among other things: enter into service sharing agreements with local government entities, charter schools, and library systems; enter into 30 year lease agreements for their buildings; establish regional high schools; authorize auditing as an aidable shared service; and allowing for "piggyback contracts" among school districts, potentially lowering the cost of student transportation. Many of these suggestions would save school

districts money through the sharing of services, thus spreading the cost of services among more participants. In addition, many of those who testified supported the elimination of the cap on BOCES superintendent salaries, in order to attract talented leadership. Currently there is a shortage of qualified applicants for District Superintendents in some areas of the state, due to the salary cap.

During this past year, when the economic climate was such that the state of New York was faced with a mid-year budget shortfall, it became incumbent upon the Legislature to examine ways in which BOCES could be further empowered to offer shared services and save the state money. Because of the success BOCES has had in providing savings to the taxpayers of New York, there is a growing sentiment that it can be used in various other functions to help save even more money in 2010 and beyond. This was the primary message heard during the three public hearings, and looking forward, this is the message that Senator Suzi Oppenheimer, the chairwoman of the Senate Education Committee, continues to hear from stakeholders across New York..

Senator Oppenheimer has introduced a number of bills that would address many of the issues brought up in the hearings. You will find these bills listed under the BOCES section in the next section of this report.



## **BOCES (Board of Cooperative Educational Services)**

### **Reported from Committee**

**Removal of cap on BOCES District Superintendent's salary:** Authorizes boards of cooperative educational services to provide, by mutual agreement, for the payment of supplemental salary and benefits to district superintendent. **S.3741/Oppenheimer.**

**Streamline planning and reporting requirements.** Relates to streamlining planning and reporting requirements for school districts and BOCES; repealer. **S.3874/Oppenheimer - A.7568 /Nolan.**

**Expand the powers and duties of BOCES.** Authorizes BOCES to enter into contracts as necessary for corporate purposes; extend BOCES leasing authority from 10 to 20 years; and allow charter schools to contract with BOCES. **S.4117A/Oppenheimer.**

**Allow BOCES to contract with public libraries.** Authorizes BOCES to enter into contracts with public libraries for high-speed telecommunication services and community relation services. **S.4634/Oppenheimer - A.8673/Gunther.**

**Authorizes BOCES to enter into contracts with out-of-state school districts.** Prohibits aidable shared services contracts with out-of-state school districts. **S.4966/Oppenheimer - A.7720 Paulin.**

**The Education Mandate Relief Act of 2009.** Delays the effects of mandates on school districts; allows "piggyback contracts for transportation services; requires BOCES to convene committees of school and community leaders to examine options for consolidation and shared services; authorizes auditing as an aidable shared service; excludes increases in health insurance and pension costs from the calculation of spending in a contingency budget; authorizes reserve funds for contributions to the Teachers Retirement System. **S.5523/Oppenheimer.**



## Children and Adults with Disabilities

### Reported from Committee

**Fingerprinting of employees of special education schools and special act school districts.** Requires fingerprinting of prospective employees of special education schools and special act school districts for purposes of a criminal background check; appropriation. **S.951A/C. Johnson.**

### Enacted Legislation

**IDEA Extender.** An act to amend chapter 352 of the laws of 2005, amending the education law in relation to implementation of the federal Individuals with Disabilities Education Improvement Act of 2004. **S.5884/Oppenheimer - A.8894/Nolan. Reported by Rules Committee. Chapter 206.**

### Vetoed

**Whitehall Central School District.** Authorizes the education department to approve a contract of the Whitehall Central School District for transportation to the school for the blind in Batavia. **S.2230A/Little - A5364A/Jordan. Veto 16.**

**Authorizes special act schools to maintain a fund balance.** Allows for special act school districts and Chapter 853 schools to maintain a fund balance of up to 4% of the school's annual allowable and reimbursable costs. **S.5446A/Oppenheimer - A8245A/ Nolan. Veto 75.**

## **Curriculums/Programs/Regulations**

### **Reported from Committee**

**Streamline planning and reporting requirements.** Relates to streamlining, planning and reporting requirements for school districts and BOCES; repealer. **S.3874/Oppenheimer - A.7568 /Nolan.**

**Notification of student's right to refuse performing a dissection.** Requires that teachers notify students of their right to refuse to perform or witness a dissection prior to such event. **S.4632/Oppenheimer - A.8472 Nolan.**

### **Passed Senate**

**Incorporation of charter schools.** Ensures that charter authorizers have ample time to collect data prior to making decisions on a charter school's future by clarifying that five-year charters issued to charter schools are valid for five instructional years. **S.5050/Smith - A9164 Hoyt.**  
*Reported by Rules Committee.*

### **Enacted Legislation**

#### **Keeping New York State in compliance with the No Child Left Behind Act of 2001.**

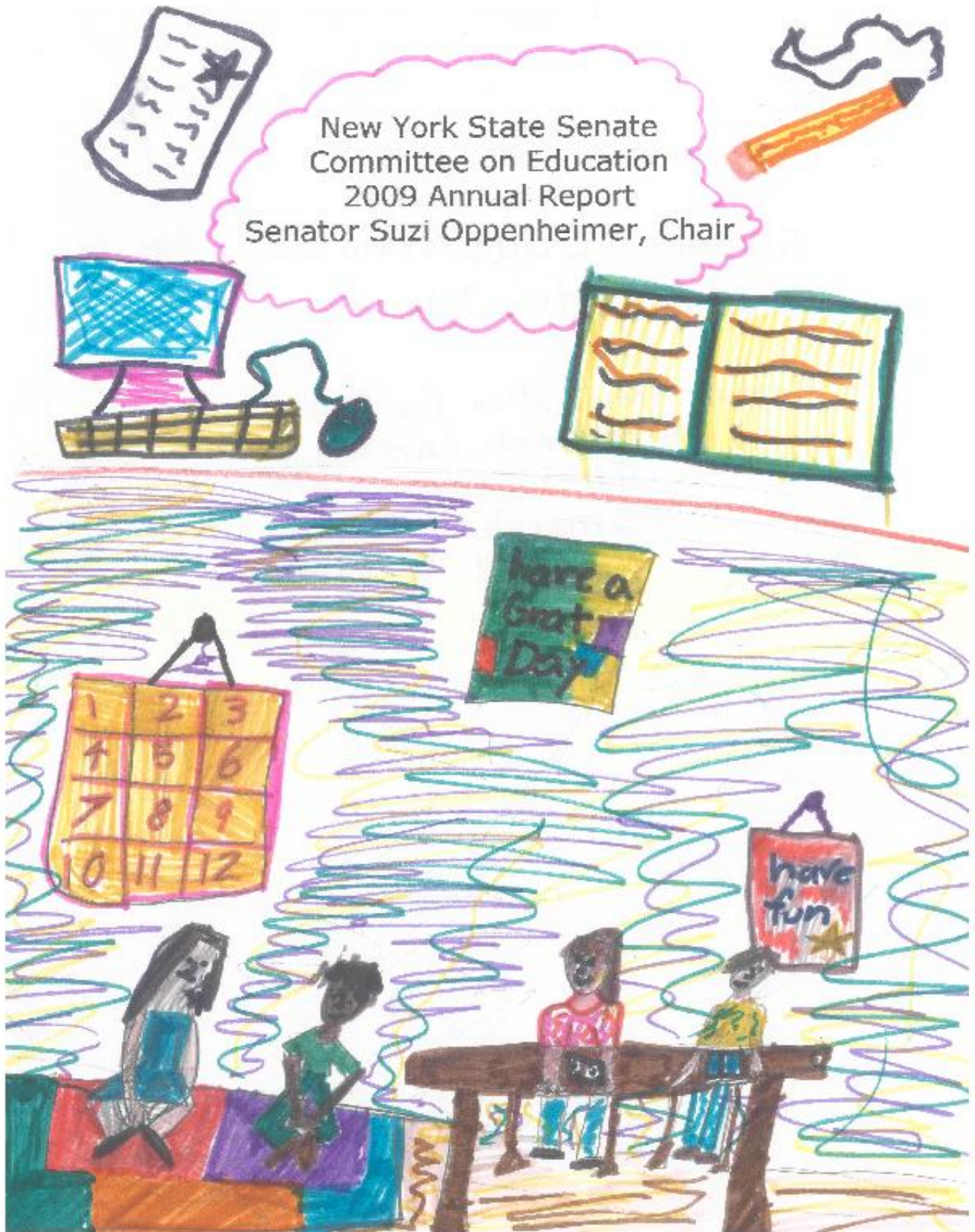
Amends the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school and amends the education law relating to implementation of the No Child Left Behind Act of 2001, in relation to extending the effectiveness thereof.

**S.5638/Oppenheimer - A.8135/Nolan. Chapter 158.**

**Conditional appointments of personnel awaiting fingerprint clearance.** Limits the duration of a conditional appointment; extends the effectiveness of chapter 147 of the laws of 2001, which authorized school districts to make conditional appointments for certain prospective school employees awaiting background checks. **S.5765/Oppeheimer - A.8564/Nolan. Chapter 179.**

### **Vetoed**

**Academic Research Information Access Act.** Establishes the Academic Research Information Access Act (ARIA) to foster innovations and economic growth by broadening the availability of high end information resources. **S.5419/Stachowski - A.7229/Schimminger. Veto 80.**



Artwork by Lola Stanisic, Age 6, Brookside Elementary School

## Health/Safety/Student Issues

### Reported from Committee

**Enforcement and continuation of the suspension of a pupil.** Authorizes school districts to enforce and continue in effect the suspension of a pupil ordered by the school district that the pupil previously attended. **S.582/Marcellino - A.7669/Weisenberg.**

**Fingerprinting of employees of special education schools and special act school districts.** Requires fingerprinting of prospective employees of special education schools and special act school districts for purposes of a criminal background check; appropriation. **S.951A/C. Johnson. Reported by Finance Committee.**

**Education of homeless children.** Aligns the education law more closely with the federal McKinney-Vento Homeless Education Assistance Act regarding the education of homeless children. **S.1088/Oppenheimer - A.8134/Nolan.**

**Fingerprinting of school bus drivers.** Relates to the protection of pupils in educational settings from abuse and maltreatment, and requires the fingerprinting of school bus drivers. **S.1634/Saland.**

**Transfer of a disruptive or violent student.** Permits the transfer of a disruptive or violent student for disciplinary reasons. **S.5492/Oppenheimer.**

### Passed Senate

**Cafeteria services by small city school districts.** Grants small city school districts the authority to provide cafeteria services to students should such district be subject to a contingency budget. **S.5981/Klein - A.7070B/Latimer. Reported by Rules Committee.**

### Enacted Legislation

**Public Schools Emergency Alert Act.** Requires New York City to establish an emergency alert notification system. **S.3254A/Addabbo - A.1245A/Lancman. Chapter 31.**

**H1N1 (swine flu) school closures.** Authorizes the commissioner of education to disregard any deficiency in the number of days of session for school closures related to the H1N1 swine flu virus. **S.5462/Oppenheimer - A.8710/Nolan. Chapter 194.**

**Conditional appointments of personnel awaiting fingerprint clearance.** Limits the duration of a conditional appointment; extends the effectiveness of chapter 147 of the laws of 2001, which

authorized school districts to make conditional appointments for certain prospective school employees awaiting background checks. **S.5765/Oppeheimer - A.8564/Nolan. Chapter 179.**



New York State Senate  
Committee on Education  
2009 Annual Report



Senator Suzi Oppenheimer, Chair



Artwork by Sabrina Vuong, Age 7, BMP Ridge Street Elementary School

## Libraries

### Reported from Committee

**Allow BOCES to contract with public libraries.** Authorizes BOCES to enter into contracts with public libraries for high-speed telecommunication services and community relation services. **S.4634/Oppenheimer - A.8673/Gunther.**

### Enacted Legislation

**Troy Public Library.** Extends the term during which the Troy public library district may be established by three years. **S.4207/McDonald - A.7607/Canestrari. Reported by Rules Committee. Chapter 321.**



## Miscellaneous

### Reported from Committee

**Education of homeless children.** Aligns the education law more closely with the federal McKinney-Vento Homeless Education Assistance Act as to education of homeless children **S.1088/Oppenheimer - A.8134/Nolan.**

### Passed Senate

**Incorporation of charter schools.** Ensures that charter authorizers have ample time to collect data prior to making decisions on a charter school's future by clarifying that five-year charters issued to charter schools are valid for five instructional years. **S.5050/Smith - A9164 Hoyt.**  
*Reported by Rules Committee.*

### Enacted Legislation

#### **Keeping New York State in compliance with the No Child Left Behind Act of 2001.**

Amends the education law relating to the provision of supplemental educational services, attendance at a safe public school and the suspension of pupils who bring a firearm to or possess a firearm at a school and amends the education law relating to implementation of the No Child Left Behind Act of 2001, in relation to extending the effectiveness thereof.

**S.5638/Oppenheimer - A.8135/Nolan. Chapter 158**



## New York City

### Reported by Committee

**Public Hearings prior to school closures in NYC.** Provides that the Chancellor of the New York City Department of Education shall hold a public hearing before he or she closes any school. **S.129/Sampson - A.5442/Maisel.**

**The Better Schools Act.** Amends the education law and the New York City Charter, by: expanding the duties of the city board and other officials of the city of New York, and the Independent Budget Office; establishing procedures and policies for certain education related matters; and creating the center for parent and student service and empowerment.

**S.5576/Parker - A.8478/Heastie. Reported by Rules Committee. Defeated by Senate vote.**

### Passed Senate

**Amends mayoral control of NYC School District.** Amends the education law to give community superintendents greater oversight over curriculum and instruction. **S.6104/Dilan. Reported by Rules Committee.**

**Amends mayoral control of NYC School District** Establishes an Arts Advisory Committee in the City of New York, to advise the members of the board on matters relating to arts in education. **S.6105/Serrano. Reported by Rules Committee.**

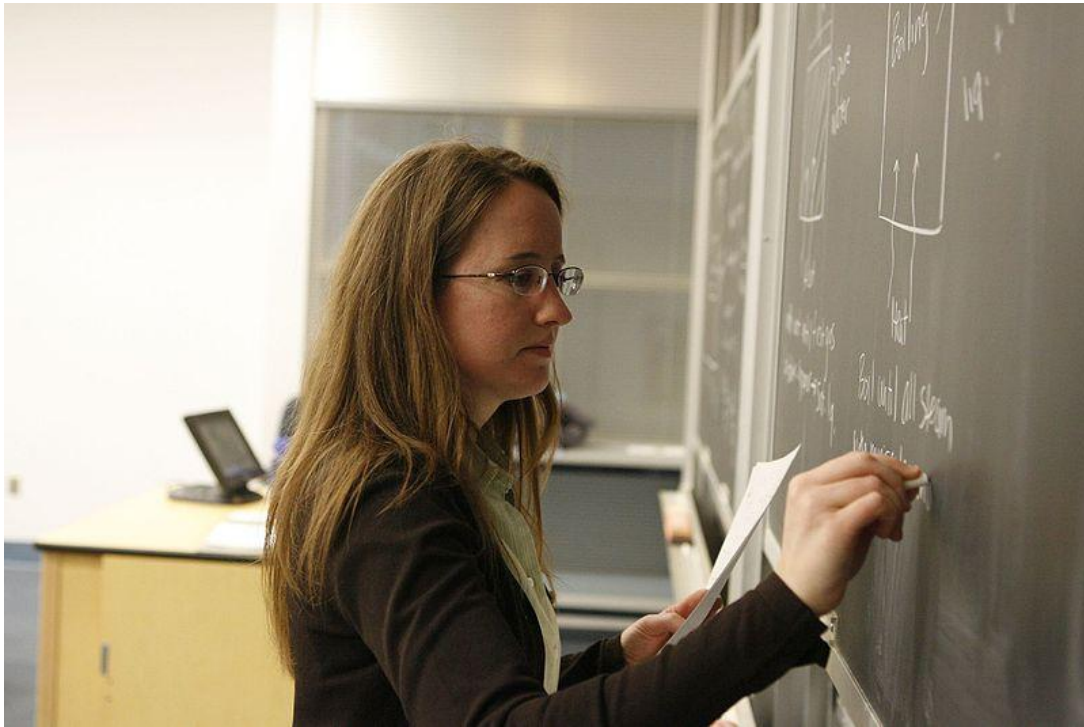
**Amends mayoral control of NYC School District** An act to amend the education law, in relation to the powers and duties of the chancellor of the New York city school district. **S.6106/Adams. Reported by Rules Committee.**

**Amends mayoral control of NYC School District.** An act to amend the education law, in relation to establishing a parent and student training center within the City University of New York. **S.6107/Huntley. Reported by Rules Committee.**

### Enacted Legislation

**Public Schools Emergency Alert Act.** Requires New York City to establish an emergency alert notification system. **S.3254A/Addabbo - A.1245A/Lancman. Chapter 31.**

**Mayoral Control of NYC School District.** Extends mayoral control over the New York City schools until June 30, 2015. **S.5887/Padavan - A.8903A/Silver.** *Reported by Rules Committee. Chapter 34*



## **Real Property and Taxation**

### **Passed Senate**

**Town of Islip special equalization rates.** Relates to limiting base proportion for the 2009-2010 assessment roll in school districts in the town of Islip with special equalization rates. **S.5948 /Foley - A.9057/Ramos.** *Reported by Rules Committee.*

### **Enacted Legislation**

**MTA Payroll Tax.** Relates to implementing supplemental fees and taxes for the Metropolitan Commuter Transportation District (34 cents for every \$100 of payroll in the 12-county MTA region); repealer. **S.5451/Dilan - A.8180/Silver.** *Reported by Rules Committee. Chapter 2*

## **School Budgets/Board Meetings/Elections**

### **Reported from Committee**

**Contract for Excellence funding.** Authorizes school districts to utilize funding subject to contract for excellence requirements in subsequent school years. **S.433/Aubertine - A.3087/Russell.**

### **Passed Senate**

**Cafeteria services by small city school districts.** Grants small city school districts the authority to provide cafeteria services to students should such district be subject to a contingency budget. **S.5981/Klein - A.7070B/Latimer. *Reported by Rules Committee.***

### **Vetoed**

**Authorizes special act schools to maintain a fund balance.** Allows for special act school districts and Chapter 853 schools to maintain a fund balance of up to 4% of the school's annual allowable and reimbursable costs. **S.5446A/Oppenheimer - A8245A/ Nolan. *Veto 75.***

## School Finance – Statewide Impact

### Reported from Committee

**Contract for Excellence funding.** Authorizes school districts to utilize funding subject to contract for excellence requirements in subsequent school years. **S.433/Aubertine - A.3087/Russell.**

**Mandated Services Reimbursement Program.** Requires that independent and religious schools be reimbursed for their actual costs in providing services to the state, most of which are required by statute and/or regulation. **S.2998/Oppenheimer - A.5517/Lentol.**

**Education Mandate Relief Act of 2009.** Relieves school districts of burdensome mandates, establishes various efficiencies in their operations with a goal of reducing costs. **S.5523/Oppenheimer.**

**The Education Mandate Relief Act of 2009.** Delays the effects of mandates on school districts; allows “piggyback contracts for transportation services; requires BOCES to convene committees of school and community leaders to examine options for consolidation and shared services; authorizes auditing as an aidable shared service; excludes increases in health insurance and pension costs from the calculation of spending in a contingency budget; authorizes reserve funds for contributions to the Teachers Retirement System. **S.5523/Oppenheimer.**

### Enacted Legislation

**H1N1 (swine flu) school closures.** Authorizes the commissioner of education to disregard any deficiency in the number of days of session for school closures related to the H1N1 swine flu virus. **S.5462/Oppenheimer - A.8710/Nolan. Chapter 194.**

### Vetoed

**Authorizes special act schools to maintain a fund balance.** Allows for special act school districts and Chapter 853 schools to maintain a fund balance of up to 4% of the school's annual allowable and reimbursable costs. **S.5446A/Oppenheimer - A8245A/ Nolan. Veto 75.**

## School Finance – Local Impact

### Reported from Committee

**Greenburgh - North Castle Union Free School District.** Authorizes Greenburgh - North Castle Union Free School District to lease certain real property. **S.1789A/Stewart-Cousins - A.8871/Brodsky.**

**Oyster Bay - East Norwich Central School District.** Legalizes actions of the Oyster Bay - East Norwich Central School District with respect to certain building aid contracts. **S.4211/Marcellino - A8440A/Walker.**

**William Floyd Union Free School District.** Validates, ratifies, and confirms expenditures made by the William Floyd Union Free School District. **S.5746/Foley - A8707/Thiele.**

### Enacted Legislation

**MTA Payroll Tax.** Relates to implementing supplemental fees and taxes for the metropolitan commuter transportation district (34 cents for every \$100 of payroll in the 12-county MTA region); repealer. **S.5451/Dilan - A.8180/Silver. Reported by Rules Committee. Chapter 25.**

**Union-Endicott Central School District.** Authorizes the Union-Endicott Central School District to discontinue the use of certain parklands. **S.5581/Libous - A.8370/Lupardo. Reported by Local Government Committee. Chapter 460.**

**Friends Academy in Glen Cove, Nassau County.** Provides that Friends Academy in Glen Cove, Nassau County, is eligible for participation in financing and construction options available through the dormitory authority. **S.5769A/Marcellino - A.8729A/Lavine. Chapter 470.**

**The Reece School of New York City.** Authorizes the dormitory authority to finance certain facilities for the Reece School of New York City. **S.5810A/Serrano - A.8599A/Powell. Reported by the Rules Committee. Chapter 465.**

**Buffalo City School District.** Authorizes the fifth phase of school reconstruction projects in the city of Buffalo by the Joint Schools Construction Board (JSCB). **S.5920/Stachowski - A.8920/Hoyt. Reported by Rules Committee. Chapter 209.**

## **Vetoed**

**North Bellmore Union Free School District.** Extends payback by the North Bellmore Union Free School District on state aid overpayments during certain school years to six years beginning with June 1, 2009. **S.85B/Fuschillo - A.220-B McDonough. Veto 45.**

**Port Washington Union Free School District.** Legalizes actions of the Port Washington Union Free School District with respect to certain building aid contracts. **S.714/C. Johnson - A.1356A/ Schimel. Veto 11.**

**Fredonia Central School District.** Authorizes the Fredonia Central School District to receive state aid for certain approved capital funded projects. **S.868/Young - A.4613A/Parment. Veto 67.**

**Rocky Point Union Free School District.** Legalizes actions of the Rocky Point Union Free School District with respect to certain building aid contracts **S.1796/LaValle - A.4767/Alessi. Veto 15.**

**Southern Cayuga Central School District.** Extends payback by the Southern Cayuga Central School District on state aid overpayments for the 2002-2003 and 2003-2004 school years. **S.2687/ Nozzolio - A.6889-A Kolb. Veto 51.**

**Marlboro Central School District.** Provides for the recalculation of school aid payments to the Marlboro Central School District as a result of certain tax certiorari proceedings. **S.2737/Larkin - A.6700 Skartados. Veto 70.**

**Highland Falls Central School District.** Provides for the repayment of certain excess state payments made to the Highland Falls Central School District. **S.2756/Larkin - A.8581 Calhoun. Veto 22.**

**Dundee Central School District.** Relates to state aid for certain capital improvement projects in the Dundee Central School District. **S.4126/Winner - A.7506/Bacalles. Veto 62.**

**Bolivar-Richburg Central School District.** Authorizes the Bolivar-Richburg Central School District to repay certain state aid overpayments over 3 years. **S.4804/Young - A.8146 Giglio. Veto 74.**

**Brocton Central School District.** Authorizes the Brocton Central School District to repay certain state aid overpayments over six years. **S.4805/Young - A.7989-A/Parment. Veto 55.**

**Copiague Union Free School District.** Authorizes the Copiague Union Free School District to repay an overpayment of state aid in equal installments over six years. **S.4849/O. Johnson - A7893-A/Sweeney. Veto 53.**

**Mount Vernon City School District.** Provides for accelerated payments to the city school district of the city of Mount Vernon. **S.5261B/Hassell-Thompson - A.8103A/Pretlow.**  
*Reported by Rules Committee. Veto 20.*



## Teachers/Personnel/Administration

### Reported from Committee

**Removal of cap on BOCES District Superintendent's salary.** Authorizes boards of cooperative educational services to provide, by mutual agreement, for the payment of supplemental salary and benefits to district superintendent. **S.3741/Oppenheimer.**

**Streamline planning and reporting requirements.** Relates to streamlining planning and reporting requirements for school districts and boards of cooperative educational services; repealer. **S.3874/Oppenheimer - A.7568 /Nolan.**

**Notification of student's right to refuse performing a dissection.** Requires that teachers notify students of their right to refuse to perform or witness a dissection prior to such event. **S.4632/Oppenheimer - A.8472 Nolan.**

**The Better Schools Act.** Amends the education law and the New York City Charter, by: expanding the duties of the city board and other officials of the city of New York, and the Independent Budget Office; establishing procedures and policies for certain education related matters; and creating the center for parent and student service and empowerment. **S.5576/Parker - A.8478/Heastie. Reported by Rules Committee. Defeated by Senate vote.**

### Enacted Legislation

**NYS Teachers' Retirement System.** Authorizes the retirement board of the NYS teachers' retirement system to promulgate rules and regulations allowing for mandated distribution of unclaimed funds. **S.3512/Savino - A.2826 Abbate. Reported by Civil Service and Pensions. Chapter 220.**

**Conditional appointments of personnel awaiting fingerprint clearance.** Limits the duration of a conditional appointment; extends the effectiveness of chapter 147 of the laws of 2001, which authorized school districts to make conditional appointments for certain prospective school employees awaiting background checks. **S.5765/Oppenheimer - A.8564/Nolan. Chapter 179.**

**Mayoral Control of NYC School District.** Extends mayoral control over the New York City schools until June 30, 2015. **S.5887/Padavan - A.8903A/Silver. Reported by Rules Committee. Chapter 345.**



## Transportation

### Reported from Committee

**Transportation of children within the two mile walking radius.** Grants Boards of Education the right to allow parents or guardians, who are physically limited by a disability, the ability to obtain transportation to school for a lesser distance than two miles. **S.44/Fuschillo - A.6429 Weisenberg.**

**North Collins Central School District.** Provides for approval and ratification of certain transportation contracts for the North Collins Central School District. **S.84-A Volker.**

**Fingerprinting of school bus drivers.** Relates to the protection of pupils in educational settings from abuse and maltreatment, and requires the fingerprinting of school bus drivers. **S.1634/Saland.**

**Greenport Public School District.** Legalizes, validates, ratifies and confirms certain transportation contracts of the Greenport Public School District. **S.1717/LaValle - A.4630/Alessi.**

**The Education Mandate Relief Act of 2009.** Delays the effects of mandates on school districts; allows “piggyback contracts for transportation services; requires BOCES to convene committees of school and community leaders to examine options for consolidation and shared services; authorizes auditing as an aidable shared service; excludes increases in health insurance and pension costs from the calculation of spending in a contingency budget; authorizes reserve funds for contributions to the Teachers Retirement System. **S.5523/Oppenheimer.**

### Enacted Legislation

**Madison-Oneida Board of Educational Services.** Extends for two years provisions of law relating to bus maintenance contracts for the Madison-Oneida Board of Educational Services. **S.2258/Valesky - A.6151/Magee. Chapter 47.**

### Vetoed

**Schenectady City School District.** Legalizes, validates, ratifies and confirms certain transportation contracts of the Schenectady City School District. **S.693A/Farley - A.4587A/Amedore. Veto 14.**

**South Colonie Central School District.** Legalizes, validates, ratifies and confirms a transportation contract of the South Colonie Central School District. **S.1031/Breslin - A.2959/Reilly. Veto 25.**

**Whitehall Central School District.** Authorizes the State Education Department to approve a contract of the Whitehall Central School District for transportation to the school for the blind in Batavia. **S.2230A/Little - A5364-A/Jordan. Veto 16.**

**Hamburg Central School District.** Relates to state aid for certain transportation contracts for the Hamburg Central School District in Erie County. **S.2841/Stachowski - A.7991A/Quinn. Veto 56.**

**Eden Central School District.** Legalizes, validates, ratifies and confirms certain transportation contracts with the Eden Central School District. **S.3650A/Stachowski - A.7202A/Quinn. Veto 19.**

**Canaseraga Central School District.** Legalizes, validates, ratifies and confirms a transportation contract of the Canaseraga Central School District. **S.4836/Young - A.7933/Burling. Veto 54.**

**Salem Central School District.** Validates the actions and proceedings of the Salem Central School District with regard to certain transportation contracts for the 2007-2008 school year. **S.5780/Little - A.8725/Jordan. Veto 58.**

