

2014-15 NEW YORK STATE EXECUTIVE BUDGET

**EDUCATION, LABOR AND FAMILY ASSISTANCE
ARTICLE VII LEGISLATION**

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Legislative Bill Drafting Commission
12672-01-4

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

BUDGBI

(Enacts into law major components of
legislation necessary to implement
the education, labor, housing and
family assistance budget for the
2014-2015 state fiscal year)

BUDGBI. ELFA

AN ACT

to amend the education law, in
relation to contracts for excel-
lence, calculation of the gap elimi-
nation restoration amount, appor-
tionment of school aid, teachers of
tomorrow teacher recruitment and
retention program, school district
reorganizations and real property
tax rates, transportation after 4
p.m., to establish a teacher excel-
lence fund, duties and waivers of

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s02 Flanagan	s28 Krueger	s55 O'Brien	s51 Seward
s11 Avella	s59 Gallivan	s24 Lanza	s58 O'Mara	s09 Skelos
s40 Ball	s12 Gianaris	s39 Larkin	s21 Parker	s14 Smith
s42 Bonacic	s41 Gipson	s37 Latimer	s13 Peralta	s26 Squadron
s04 Boyle	s22 Golden	s01 LaValle	s30 Perkins	s16 Stavisky
s44 Breslin	s47 Griffo	s52 Libous	s61 Ranzenhofner	s35 Stewart-
s38 Carlucci	s60 Grisanti	s45 Little	s48 Ritchie	Cousins
s50 DeFrancisco	s06 Hannon	s05 Marcellino	s33 Rivera	s46 Tkaczyk
s32 Diaz	s36 Hassell-	s43 Marchione	s56 Robach	s53 Valesky
s18 Dilan	Thompson	s07 Martins	s19 Sampson	s57 Young
s31 Espaillat	s27 Hoylman	s62 Maziarz	s10 Sanders	s03 Zeldin
s49 Farley	s63 Kennedy	s25 Montgomery	s23 Savino	s08
s17 Felder	s34 Klein	s54 Nozzolio	s29 Serrano	s20

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a081 Dinowitz	a074 Kavanagh	a051 Ortiz	a036 Simotas
a092 Abinanti	a147 DiPietro	a142 Kearns	a091 Otis	a104 Skartados
a084 Arroyo	a115 Duprey	a076 Kellner	a132 Palmesano	a099 Skoufis
a035 Aubry	a004 Englebright	a040 Kim	a002 Palumbo	a022 Solages
a120 Barclay	a109 Fahy	a131 Kolb	a088 Paulin	a114 Stec
a106 Barrett	a071 Farrell	a105 Lalor	a141 Peoples-	a110 Steck
a082 Benedetto	a126 Finch	a013 Lavine	Stokes	a127 Stirpe
a117 Blankenbush	a008 Fitzpatrick	a050 Lentol	a058 Perry	a011 Sweeney
a062 Borelli	a124 Friend	a125 Lifton	a086 Pichardo	a112 Tedisco
a055 Boyland	a143 Gabryszak	a102 Lopez, P.	a089 Pretlow	a101 Tenney
a026 Braunstein	a095 Galef	a123 Lupardo	a073 Quart	a001 Thiele
a044 Brennan	a137 Gantt	a010 Lupinacci	a019 Ra	a061 Titone
a119 Brindisi	a007 Garbarino	a121 Magee	a012 Raia	a031 Titus
a138 Bronson	a148 Giglio	a129 Magnarelli	a006 Ramos	a146 Walter
a046 Brook-Krasny	a080 Gjonaj	a064 Malliotakis	a078 Rivera	a041 Weinstein
a093 Buchwald	a066 Glick	a030 Markey	a128 Roberts	a020 Weisenberg
a118 Butler	a023 Goldfeder	a090 Mayer	a056 Robinson	a024 Weprin
a103 Cahill	a150 Goodell	a108 McDonald	a068 Rodriguez	a070 Wright
a043 Camara	a075 Gottfried	a014 McDonough	a072 Rosa	a096 Zebrowski
a145 Ceretto	a005 Graf	a017 McKeivitt	a067 Rosenthal	a054
a033 Clark	a100 Gunther	a107 McLaughlin	a025 Rozic	a059
a047 Colton	a139 Hawley	a038 Miller	a116 Russell	a060
a032 Cook	a083 Heastie	a052 Millman	a149 Ryan	a077
a144 Corwin	a003 Hennessey	a015 Montesano	a009 Saladino	a079
a085 Crespo	a028 Hevesi	a136 Morelle	a111 Santabarbara	a098
a122 Crouch	a048 Hikind	a057 Mosley	a029 Scarborough	a113
a021 Curran	a018 Hooper	a039 Moya	a016 Schimel	a134
a063 Cusick	a042 Jacobs	a133 Nojay	a140 Schimminger	
a045 Cymbrowitz	a097 Jaffee	a037 Nolan	a087 Sepulveda	
a053 Davila	a135 Johns	a130 Oaks	a065 Silver	
a034 DenDekker	a094 Katz	a069 O'Donnell	a027 Simanowitz	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and 4 copies of memorandum in support (single house);
or 4 signed copies of bill and 8 copies of memorandum
in support (uni-bill).

school districts with children with handicapping conditions, to authorize the commissioner of education to establish regional tuition rates for approved special education itinerant services, to authorize reimbursement for approved special education itinerant services based on actual attendance, to authorize New York city to establish local tuition rates for approved special education itinerant services; to amend chapter 756 of the laws of 1992 relating to funding a program for work force education conducted by the consortium for worker education in New York city, in relation to apportionment and reimbursement; and in relation to extending the expiration of certain provisions; to amend chapter 169 of the laws of 1994 relating to certain provisions related to the 1994-95 state operations, aid to localities, capital projects and debt service budgets; to amend chapter 82 of the laws of 1995, amending the education law and certain other laws relating to state aid to school districts and the appropriation of funds for the support of government; to amend the education law, in relation to the definition of "school district basic contribution"; to amend chapter 147 of the laws of 2001 amending the education law relating to conditional appointment of school district, charter school or BOCES employees; to amend chapter 425 of the laws of 2002 amending 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; to amend chapter 101 of the laws of 2003 amending the education law relating to implementation of the No Child Left Behind Act of 2001, in relation to extending the expiration of certain provisions of such chapters; to provide special apportionment for school bus driver training; to provide special apportionment for salary expenses; to provide special apportionment for public pension

accruals; to provide special apportionment for salary expenses; in relation to suballocation of certain education department accruals; in relation to the support of public libraries; and providing for the repeal of certain provisions upon expiration thereof (Part A); authorizing the creation of a state debt in the amount of two billion dollars, in relation to creating the smart schools bond act of 2014 for the purposes of funding capital projects to provide learning technology equipment or facilities, enhanced internet connectivity for schools and communities, and educational facilities to accommodate pre-kindergarten programs; and providing for the submission to the people of a proposition or question therefor to be voted upon at the general election to be held in November, 2014 (Part B); to amend the education law and the state finance law, in relation to the implementation of the smart schools bond act of 2014 (Part C); to amend the education law, in relation to the nurse practitioners modernization act (Part D); to amend the education law and the executive law, in relation to harassment, bullying and discrimination in schools (Part E); to amend the executive law, in relation to unlawful discriminatory practices by educational institutions (Part F); to amend the education law, in relation to creating the science, technology, engineering and mathematics incentive program (Part G); to amend chapter 57 of the laws of 2005 amending the labor law and other laws implementing the state fiscal plan for the 2005-2006 state fiscal year, relating to the New York state higher education capital matching grant program for independent colleges, in relation to the New York state higher education matching grant program for independent colleges and the effectiveness thereof (Part H); to amend the social services law, in relation to increasing the standards of monthly need for aged, blind and

disabled persons living in the community (Part I); to amend the social services law, in relation to public assistance restrictions (Part J); to utilize reserves in the project pool insurance account of the mortgage insurance fund for various housing purposes (Part K); and to amend the education law, in relation to educational programs in juvenile justice programs operated by the office of children and family services (Subpart A); and to amend the social services law, in relation to a deadline for the close to home initiative (Subpart B) (Part L)

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

1 Section 1. This act enacts into law major components of legislation
2 which are necessary to implement the state fiscal plan for the 2014-2015
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through L. The effective date for each particular
5 provision contained within such Part is set forth in the last section of
6 such Part. Any provision in any section contained within a Part, includ-
7 ing the effective date of the Part, which makes a reference to a section
8 "of this act", when used in connection with that particular component,
9 shall be deemed to mean and refer to the corresponding section of the
10 Part in which it is found. Section three of this act sets forth the
11 general effective date of this act.

12 PART A

13 Section 1. Paragraph e of subdivision 1 of section 211-d of the educa-
14 tion law, as amended by section 2 of part A of chapter 57 of the laws of
15 2013, is amended to read as follows:

16 e. Notwithstanding paragraphs a and b of this subdivision, a school
17 district that submitted a contract for excellence for the two thousand
18 eight--two thousand nine school year shall submit a contract for excel-
19 lence for the two thousand nine--two thousand ten school year in
20 conformity with the requirements of subparagraph (vi) of paragraph a of
21 subdivision two of this section unless all schools in the district are
22 identified as in good standing and provided further that, a school
23 district that submitted a contract for excellence for the two thousand
24 nine--two thousand ten school year, unless all schools in the district
25 are identified as in good standing, shall submit a contract for excel-
26 lence for the two thousand eleven--two thousand twelve school year which

1 shall, notwithstanding the requirements of subparagraph (vi) of para-
2 graph a of subdivision two of this section, provide for the expenditure
3 of an amount which shall be not less than the product of the amount
4 approved by the commissioner in the contract for excellence for the two
5 thousand nine--two thousand ten school year, multiplied by the
6 district's gap elimination adjustment percentage and provided further
7 that, a school district that submitted a contract for excellence for the
8 two thousand eleven--two thousand twelve school year, unless all schools
9 in the district are identified as in good standing, shall submit a
10 contract for excellence for the two thousand twelve--two thousand thir-
11 teen school year which shall, notwithstanding the requirements of
12 subparagraph (vi) of paragraph a of subdivision two of this section,
13 provide for the expenditure of an amount which shall be not less than
14 the amount approved by the commissioner in the contract for excellence
15 for the two thousand eleven--two thousand twelve school year and
16 provided further that, a school district that submitted a contract for
17 excellence for the two thousand twelve--two thousand thirteen school
18 year, unless all schools in the district are identified as in good
19 standing, shall submit a contract for excellence for the two thousand
20 thirteen--two thousand fourteen school year which shall, notwithstanding
21 the requirements of subparagraph (vi) of paragraph a of subdivision two
22 of this section, provide for the expenditure of an amount which shall be
23 not less than the amount approved by the commissioner in the contract
24 for excellence for the two thousand twelve--two thousand thirteen school
25 year and provided further that, a school district that submitted a
26 contract for excellence for the two thousand thirteen--two thousand
27 fourteen school year, unless all schools in the district are identified
28 as in good standing, shall submit a contract for excellence for the two

1 thousand fourteen--two thousand fifteen school year which shall,
2 notwithstanding the requirements of subparagraph (vi) of paragraph a of
3 subdivision two of this section, provide for the expenditure of an
4 amount which shall be not less than the amount approved by the commis-
5 sioner in the contract for excellence for the two thousand thirteen--two
6 thousand fourteen school year. For purposes of this paragraph, the "gap
7 elimination adjustment percentage" shall be calculated as the sum of one
8 minus the quotient of the sum of the school district's net gap elimi-
9 nation adjustment for two thousand ten--two thousand eleven computed
10 pursuant to chapter fifty-three of the laws of two thousand ten, making
11 appropriations for the support of government, plus the school district's
12 gap elimination adjustment for two thousand eleven--two thousand twelve
13 as computed pursuant to chapter fifty-three of the laws of two thousand
14 eleven, making appropriations for the support of the local assistance
15 budget, including support for general support for public schools,
16 divided by the total aid for adjustment computed pursuant to chapter
17 fifty-three of the laws of two thousand eleven, making appropriations
18 for the local assistance budget, including support for general support
19 for public schools. Provided, further, that such amount shall be
20 expended to support and maintain allowable programs and activities
21 approved in the two thousand nine--two thousand ten school year or to
22 support new or expanded allowable programs and activities in the current
23 year.

24 § 2. Paragraph (f) of subdivision 17 of section 3602 of the education
25 law, as added by section 12 of part A of chapter 57 of the laws of 2013,
26 is amended and a new paragraph (g) is added to read as follows:

27 (f) The gap elimination adjustment restoration amount for the two
28 thousand fourteen--two thousand fifteen school year [and thereafter

1 shall equal the product of the gap elimination percentage for such
2 district and the gap elimination adjustment restoration allocation
3 established pursuant to subdivision eighteen of this section.] for a
4 school district shall be computed based on data on file with the commis-
5 sioner and in the database used by the commissioner to produce an
6 updated electronic data file in support of the executive budget request
7 submitted for the two thousand fourteen--two thousand fifteen state
8 fiscal year and shall equal the greater of:

9 (i) the product of two and five-tenths percent (0.025) multiplied by
10 the gap elimination adjustment for the base year or;

11 (ii) the positive difference of (a) the product of twenty-two percent
12 (0.22) multiplied by the absolute value of the amount set forth for such
13 school district as "GAP ELIMINATION ADJUSTMENT" under the heading
14 "2011-12 ESTIMATED AIDS" in the school aid computer listing produced by
15 the commissioner in support of the executive budget request submitted
16 for the two thousand eleven--two thousand twelve state fiscal year and
17 entitled "BT111-2" minus (b) the positive difference of the absolute
18 value of the amount set forth for such school district as "GAP ELIMI-
19 NATION ADJUSTMENT" under the heading "2011-12 ESTIMATED AIDS" in the
20 school aid computer listing produced by the commissioner in support of
21 the executive budget request submitted for the two thousand eleven--two
22 thousand twelve state fiscal year and entitled "BT111-2" minus the gap
23 elimination adjustment for the base year or;

24 (iii) the sum of (a) the greater of:

25 (A) the product of (1) the product of two hundred and seventy-two
26 dollars (\$272.00) multiplied by the extraordinary needs percent computed
27 to two decimal places without rounding multiplied by (2) the product of
28 the state sharing ratio computed pursuant to paragraph g of subdivision

1 three of this section multiplied by (3) the regional cost index pursuant
2 to subdivision four of this section multiplied by (4) the base year
3 public school district enrollment as computed pursuant to subparagraph
4 two of paragraph n of subdivision one of this section, or;

5 (B) the product of three hundred sixty-three dollars and fifty cents
6 (\$363.50) multiplied by (1) the positive difference, if any, of one
7 minus the product of one and thirty-seven one-hundredths (1.37) multi-
8 plied by the combined wealth ratio computed pursuant to subparagraph one
9 of paragraph c of subdivision three of this section but not greater than
10 nine-tenths (0.9) multiplied by (2) the base year public school district
11 enrollment as computed pursuant to subparagraph two of paragraph n of
12 subdivision one of this section, or

13 (C) the product, computed to the nearest whole number without round-
14 ing, of: (1) the product of the quotient of the tax effort ratio as
15 defined in subdivision sixteen of this section divided by three and one
16 hundred seventy-six thousandths percent (0.03176) multiplied by the
17 positive difference, if any, of one minus the alternate pupil wealth
18 ratio computed pursuant to paragraph b of subdivision three of this
19 section but not greater than nine-tenths (0.9) computed to three deci-
20 mals without rounding, multiplied by (2) two hundred fifty-three dollars
21 and fifty cents (\$253.50) with the result computed to two decimals with-
22 out rounding multiplied by (3) the base year public school district
23 enrollment as computed pursuant to subparagraph two of paragraph n of
24 subdivision one of this section; and

25 (b) the product of (A) the positive difference, if any, of the base
26 year public school district enrollment as computed pursuant to subpara-
27 graph two of paragraph n of subdivision one of this section minus the
28 public school district enrollment for the year five years prior to the

1 base year, as computed pursuant to subparagraph two of paragraph n of
2 subdivision one of this section multiplied by (B) one thousand eight
3 hundred fifteen dollars (\$1,815) multiplied by (C) the state sharing
4 ratio computed pursuant to paragraph g of subdivision three of this
5 section;

6 (iv) Provided further, notwithstanding any provision of this paragraph
7 to the contrary, that a district's gap elimination adjustment restora-
8 tion for the two thousand fourteen--two thousand fifteen school year
9 shall not exceed the product of forty-five percent (0.45) and the gap
10 elimination adjustment for the base year for the district.

11 (g) The gap elimination adjustment restoration amount for the two
12 thousand fifteen--two thousand sixteen school year and thereafter shall
13 equal the product of the gap elimination percentage for such district
14 and the gap elimination adjustment restoration allocation established
15 pursuant to subdivision eighteen of this section.

16 § 3. Paragraph a of subdivision 5 of section 3604 of the education
17 law, as amended by chapter 161 of the laws of 2005, is amended to read
18 as follows:

19 a. State aid adjustments. All errors or omissions in the apportionment
20 shall be corrected by the commissioner. Whenever a school district has
21 been apportioned less money than that to which it is entitled, the
22 commissioner may allot to such district the balance to which it is enti-
23 tled. Whenever a school district has been apportioned more money than
24 that to which it is entitled, the commissioner may, by an order, direct
25 such moneys to be paid back to the state to be credited to the general
26 fund local assistance account for state aid to the schools, or may
27 deduct such amount from the next apportionment to be made to said
28 district, provided, however, that, upon notification of excess payments

1 of aid for which a recovery must be made by the state through deduction
2 of future aid payments, a school district may request that such excess
3 payments be recovered by deducting such excess payments from the
4 payments due to such school district and payable in the month of June in
5 (i) the school year in which such notification was received and (ii) the
6 two succeeding school years, provided further that there shall be no
7 interest penalty assessed against such district or collected by the
8 state. Such request shall be made to the commissioner in such form as
9 the commissioner shall prescribe, and shall be based on documentation
10 that the total amount to be recovered is in excess of one percent of the
11 district's total general fund expenditures for the preceding school
12 year. The amount to be deducted in the first year shall be the greater
13 of (i) the sum of the amount of such excess payments that is recognized
14 as a liability due to other governments by the district for the preced-
15 ing school year and the positive remainder of the district's unreserved
16 fund balance at the close of the preceding school year less the product
17 of the district's total general fund expenditures for the preceding
18 school year multiplied by five percent, or (ii) one-third of such excess
19 payments. The amount to be recovered in the second year shall equal the
20 lesser of the remaining amount of such excess payments to be recovered
21 or one-third of such excess payments, and the remaining amount of such
22 excess payments shall be recovered in the third year. Provided further
23 that, notwithstanding any other provisions of this subdivision, any
24 pending payment of moneys due to such district as a prior year adjust-
25 ment payable pursuant to paragraph c of this subdivision for aid claims
26 that had been previously paid as current year aid payments in excess of
27 the amount to which the district is entitled and for which recovery of
28 excess payments is to be made pursuant to this paragraph, shall be

1 reduced at the time of actual payment by any remaining unrecovered
2 balance of such excess payments, and the remaining scheduled deductions
3 of such excess payments pursuant to this paragraph shall be reduced by
4 the commissioner to reflect the amount so recovered. The commissioner
5 shall certify no payment to a school district based on a claim submitted
6 later than three years after the close of the school year in which such
7 payment was first to be made. For claims for which payment is first to
8 be made in the nineteen hundred ninety-six--ninety-seven school year,
9 the commissioner shall certify no payment to a school district based on
10 a claim submitted later than two years after the close of such school
11 year. For claims for which payment is first to be made [in the nineteen
12 hundred ninety-seven--ninety-eight] prior to the two thousand thirteen-
13 -two thousand fourteen school year [and thereafter], the commissioner
14 shall certify no payment to a school district based on a claim submitted
15 later than one year after the close of such school year. Further
16 provided that for any apportionments provided pursuant to sections seven
17 hundred one, seven hundred eleven, seven hundred fifty-one, seven
18 hundred fifty-three, nineteen hundred fifty, thirty-six hundred two,
19 thirty-six hundred two-b, thirty-six hundred two-c, thirty-six hundred
20 two-e, thirty-six hundred twelve and forty-four hundred five of this
21 chapter for the two thousand fourteen--two thousand fifteen and prior
22 school years, the commissioner shall certify no payment to a school
23 district, other than payments pursuant to subdivisions six-a, eleven,
24 thirteen and fifteen of section thirty-six hundred two of this part, in
25 excess of the payment computed based on an electronic data file used to
26 produce the school aid computer listing produced by the commissioner in
27 support of the executive budget request submitted for the two thousand
28 fourteen--two thousand fifteen state fiscal year and entitled "BT141-5",

1 and further provided that for any apportionments provided pursuant to
2 sections seven hundred one, seven hundred eleven, seven hundred fifty-
3 one, seven hundred fifty-three, nineteen hundred fifty, thirty-six
4 hundred two, thirty-six hundred two-b, thirty-six hundred two-c, thir-
5 ty-six hundred two-e, thirty-six hundred twelve and forty-four hundred
6 five of this chapter for the two thousand fifteen--two thousand sixteen
7 school year and thereafter, the commissioner shall certify no payment to
8 a school district, other than payments pursuant to subdivisions six-a,
9 eleven, thirteen and fifteen of section thirty-six hundred two of this
10 part, in excess of the payment computed based on an electronic data file
11 used to produce the school aid computer listing produced by the commis-
12 sioner in support of the executive budget request submitted for the
13 state fiscal year in which the school year commences. Provided, however,
14 no payments shall be barred or reduced where such payment is required as
15 a result of a final audit of the state. It is further provided that,
16 until June thirtieth, nineteen hundred ninety-six, the commissioner may
17 grant a waiver from the provisions of this section for any school
18 district if it is in the best educational interests of the district
19 pursuant to guidelines developed by the commissioner and approved by the
20 director of the budget.

21 § 4. The opening paragraph of section 3609-a of the education law, as
22 amended by section 14 of part A of chapter 57 of the laws of 2013, is
23 amended to read as follows:

24 For aid payable in the two thousand seven--two thousand eight school
25 year [and thereafter] through the two thousand thirteen--two thousand
26 fourteen school year, "moneys apportioned" shall mean the lesser of (i)
27 the sum of one hundred percent of the respective amount set forth for
28 each school district as payable pursuant to this section in the school

1 aid computer listing for the current year produced by the commissioner
2 in support of the budget which includes the appropriation for the gener-
3 al support for public schools for the prescribed payments and individ-
4 ualized payments due prior to April first for the current year plus the
5 apportionment payable during the current school year pursuant to subdi-
6 vision six-a and subdivision fifteen of section thirty-six hundred two
7 of this part minus any reductions to current year aids pursuant to
8 subdivision seven of section thirty-six hundred four of this part or any
9 deduction from apportionment payable pursuant to this chapter for
10 collection of a school district basic contribution as defined in subdi-
11 vision eight of section forty-four hundred one of this chapter, less any
12 grants provided pursuant to subparagraph two-a of paragraph b of subdi-
13 vision four of section ninety-two-c of the state finance law, less any
14 grants provided pursuant to subdivision twelve of section thirty-six
15 hundred forty-one of this article, or (ii) the apportionment calculated
16 by the commissioner based on data on file at the time the payment is
17 processed; provided however, that for the purposes of any payments made
18 pursuant to this section prior to the first business day of June of the
19 current year, moneys apportioned shall not include any aids payable
20 pursuant to subdivisions six and fourteen, if applicable, of section
21 thirty-six hundred two of this part as current year aid for debt service
22 on bond anticipation notes and/or bonds first issued in the current year
23 or any aids payable for full-day kindergarten for the current year
24 pursuant to subdivision nine of section thirty-six hundred two of this
25 part. The definitions of "base year" and "current year" as set forth in
26 subdivision one of section thirty-six hundred two of this part shall
27 apply to this section. For aid payable in the two thousand thirteen--two
28 thousand fourteen school year, reference to such "school aid computer

1 listing for the current year" shall mean the printouts entitled
2 "SA131-4". For aid payable in the two thousand fourteen--two thousand
3 fifteen school year and thereafter, "moneys apportioned" shall mean the
4 lesser of: (i) the sum of one hundred percent of the respective amount
5 set forth for each school district as payable pursuant to this section
6 in the school aid computer listing for the current year produced by the
7 commissioner in support of the executive budget request which includes
8 the appropriation for the general support for public schools for the
9 prescribed payments and individualized payments due prior to April first
10 for the current year plus the apportionment payable during the current
11 school year pursuant to subdivisions six-a and fifteen of section thir-
12 ty-six hundred two of this part minus any reductions to current year
13 aids pursuant to subdivision seven of section thirty-six hundred four of
14 this part or any deduction from apportionment payable pursuant to this
15 chapter for collection of a school district basic contribution as
16 defined in subdivision eight of section forty-four hundred one of this
17 chapter, less any grants provided pursuant to subparagraph two-a of
18 paragraph b of subdivision four of section ninety-two-c of the state
19 finance law, less any grants provided pursuant to subdivision twelve of
20 section thirty-six hundred forty-one of this article; or (ii) the appor-
21 tionment calculated by the commissioner based on data on file at the
22 time the payment is processed; provided however, that for the purposes
23 of any payments made pursuant to this section prior to the first busi-
24 ness day of June of the current year, moneys apportioned shall not
25 include any aids payable pursuant to subdivisions six and fourteen, if
26 applicable, of section thirty-six hundred two of this part as current
27 year aid for debt service on bond anticipation notes and/or bonds first
28 issued in the current year or any aids payable for full-day kindergarten

1 for the current year pursuant to subdivision nine of section thirty-six
2 hundred two of this part. The definitions of "base year" and "current
3 year" as set forth in subdivision one of section thirty-six hundred two
4 of this part shall apply to this section.

5 § 5. Paragraph b of subdivision 2 of section 3612 of the education
6 law, as amended by section 15 of part A of chapter 57 of the laws of
7 2013, is amended to read as follows:

8 b. Such grants shall be awarded to school districts, within the limits
9 of funds appropriated therefor, through a competitive process that takes
10 into consideration the magnitude of any shortage of teachers in the
11 school district, the number of teachers employed in the school district
12 who hold temporary licenses to teach in the public schools of the state,
13 the number of provisionally certified teachers, the fiscal capacity and
14 geographic sparsity of the district, the number of new teachers the
15 school district intends to hire in the coming school year and the number
16 of summer in the city student internships proposed by an eligible school
17 district, if applicable. Grants provided pursuant to this section shall
18 be used only for the purposes enumerated in this section. Notwithstand-
19 ing any other provision of law to the contrary, a city school district
20 in a city having a population of one million or more inhabitants receiv-
21 ing a grant pursuant to this section may use no more than eighty percent
22 of such grant funds for any recruitment, retention and certification
23 costs associated with transitional certification of teacher candidates
24 for the school years two thousand one--two thousand two through [two
25 thousand thirteen--two thousand fourteen] two thousand fourteen--two
26 thousand fifteen.

27 § 6. The education law is amended by adding a new section 3613 to read
28 as follows:

1 § 3613. School district reorganizations and real property tax rates.
2 1. When two or more school districts propose to reorganize pursuant to
3 sections fifteen hundred eleven through fifteen hundred thirteen,
4 fifteen hundred twenty-four, fifteen hundred twenty-six, seventeen
5 hundred five, or eighteen hundred one through eighteen hundred three of
6 this chapter, and under the law that would otherwise be applicable, the
7 reorganization would have an impact upon the school tax rates within the
8 areas served by the school districts that existed prior to the reorgan-
9 ization, notwithstanding any other provision of law to the contrary, the
10 boards of education or trustees of all the school districts participat-
11 ing in the proposed reorganization may opt to have that impact deferred
12 for a one-year period and/or phased-in over a period as may be deter-
13 mined by the boards of education or trustees of all participating school
14 districts in the manner prescribed by this section but which shall not
15 exceed a ten-year period. To exercise such option, the boards of educa-
16 tion or trustees of all participating school districts, after conducting
17 a public hearing, may adopt a resolution at least forty-five days prior
18 to the special district meeting at which the reorganization vote will be
19 held, to defer and/or phase-in the impact as provided herein. If the
20 board of education or trustees of any participating school district does
21 not approve such a resolution opting for a common phase-in period, the
22 provisions of this section shall not apply.
23 2. During the one-year deferral period, the tax rate for each portion
24 of the school district shall be calculated in the following manner:
25 (a) Determine the assessed value tax rate that applied for the school
26 year immediately preceding the school year in which the reorganization
27 took effect.

1 (b) Multiply that assessed value tax rate by the state equalization
2 rate applicable to the portion for the school year immediately preceding
3 the school year in which the reorganization took effect.

4 (c) Divide the product so determined by the state equalization rate
5 applicable to the portion for the first school year of the reorganized
6 school district. The quotient is the assessed value tax rate for the
7 portion for that school year. Provided, that if the sum of the real
8 property tax levies in all of the portions in the school district, using
9 the assessed value tax rates computed pursuant to this subdivision,
10 would yield a real property tax levy that is above or below the total
11 real property tax levy specified in the school district budget for the
12 current school year, the assessed value tax rates shall all be decreased
13 or increased proportionately so as to yield the specified real property
14 tax levy amount.

15 3. During each year of a phase-in period, whose duration up to ten
16 years shall have been determined by the boards of education or trustees
17 of the constituent school districts, the tax rate for each portion of
18 the reorganized school district shall be calculated in the following
19 manner:

20 (a) Determine the assessed value tax rate that applied for the school
21 year immediately preceding the school year in which the reorganization
22 took effect.

23 (b) Multiply that assessed value tax rate by the state equalization
24 rate applicable to the portion for the school year immediately preceding
25 the school year in which the reorganization took effect. The result is
26 the base full value tax rate of the portion.

27 (c) Determine the assessed value tax rate that would have applied in
28 the portion but for the provisions of this section.

1 (d) Multiply that assessed value tax rate by the state equalization
2 rate that would have applied for the current school year but for the
3 provisions of this section. The result is the target full value tax rate
4 for the portion.

5 (e) Determine the difference between the target full value tax rate
6 and the base full value tax rate for the portion.

7 (f) Divide the difference so determined by the total number of years
8 in the phase-in period applicable to the school district.

9 (g) Multiply the quotient so determined by the number of years from
10 the beginning of the phase-in period up to and including the year for
11 which the tax rate is being determined.

12 (h) Add the product so determined to the base full value tax rate.

13 (i) Divide the sum so determined by the applicable equalization rate.
14 The quotient is the assessed value tax rate for the portion for the
15 current school year. Provided, that if the sum of the real property tax
16 levies in all of the portions in the school district, using the assessed
17 value tax rates computed pursuant to this subdivision, would yield a
18 real property tax levy that is above or below the total real property
19 tax levy specified in the school district budget for the current school
20 year, the assessed value tax rates shall all be decreased or increased
21 proportionately so as to yield the specified real property tax levy
22 amount.

23 4. As used herein the term "portion" means that part of an assessing
24 unit located within a school district.

25 § 7. Section 3627 of the education law, as added by section 23 of part
26 A of chapter 57 of the laws of 2013, is amended to read as follows:

27 § 3627. Transportation after 4pm. 1. Notwithstanding any other
28 provisions of this section to the contrary, for the two thousand thir-

1 teen--two thousand fourteen and two thousand fourteen--two thousand
2 fifteen school [year] years, a city school district located in a city
3 having a population of one million or more providing transportation
4 pursuant to this chapter shall be responsible for:

5 (a) providing transportation for those children attending public and
6 nonpublic schools in grades kindergarten through six who remain at the
7 same school for which they are enrolled for regularly scheduled academic
8 classes from half-past nine o'clock in the morning or earlier until four
9 o'clock in the afternoon or later, on weekdays, and reside at least one
10 mile from their school of attendance for grades three through six, and
11 at least one-half mile from their school of attendance for grades
12 kindergarten through two or

13 (b) reimbursing the cost incurred by licensed transportation carriers
14 pursuant to contracts with such school district for providing transpor-
15 tation for those children attending public and nonpublic schools in
16 grades kindergarten through six who remain at the same school for which
17 they are enrolled for regularly scheduled academic classes from half-
18 past nine o'clock in the morning or earlier until four o'clock in the
19 afternoon or later, on weekdays, and reside at least one mile from their
20 school of attendance for grades three through six, and at least one-half
21 mile from their school of attendance for grades kindergarten through
22 two.

23 2. Nothing herein shall prohibit the school district from reimbursing
24 for costs incurred for contracts between the school district and any
25 entity providing or contracting for such transportation service.

26 3. A district shall not be deemed to have satisfied its obligation
27 under this section by providing public service transportation.

1 4. Notwithstanding any other provision of law to the contrary, any
2 expenditures for transportation provided pursuant to this section in the
3 two thousand thirteen--two thousand fourteen and two thousand fourteen-
4 -two thousand fifteen school [year] years and otherwise eligible for
5 transportation aid pursuant to subdivision seven of section thirty-six
6 hundred two of this article shall be considered approved transportation
7 expenses eligible for transportation aid, provided further that such aid
8 shall be limited to five million six hundred thousand dollars. And
9 provided further that such expenditures eligible for aid under this
10 section shall supplement not supplant local expenditures for such trans-
11 portation in the two thousand twelve--two thousand thirteen school year.

12 5. Notwithstanding any other provision of this section to the contra-
13 ry, in no event shall such city school district, in order to comply with
14 the requirements of this section, be required to incur any costs in
15 excess of the amount eligible for transportation aid pursuant to subdivi-
16 sion four of this section. In the event such amount is insufficient,
17 the city school district of New York shall provide transportation
18 services within such amount on an equitable basis, until such apportion-
19 ment is exhausted.

20 6. The chancellor of such school district, in consultation with the
21 commissioner, shall prescribe the most cost effective system for imple-
22 menting the requirements of this section, taking into consideration: (a)
23 the costs associated with paragraphs (a) and (b) of subdivision one of
24 this section, and (b) policies that attempt to maximize student safety
25 for the student to be transported, which for purposes of this section
26 shall include whether the pick up or drop off site of the transportation
27 is:

28 (i) not further than 600 feet from the student's residence; and/or

1 (ii) at the same locations for any family that have children at the
2 same residence who attend two or more different schools.

3 7. (a) In the event the chancellor has not satisfied a district's
4 obligation under this section, a parent or guardian or any represen-
5 tative authorized by such parent or guardian of a child eligible to
6 receive transportation under this section may request the commissioner
7 to arrange for the provision of the transportation to so satisfy the
8 requirements of this section.

9 (b) If within sixty days of receiving a request from such a parent or
10 guardian or any representative authorized by such parent or guardian,
11 the commissioner determines that the chancellor has not satisfied a
12 district's obligation under this section, then the commissioner shall
13 immediately direct the chancellor to contract with a licensed transpor-
14 tation carrier to provide the transportation required pursuant to this
15 section.

16 (c) In the event the chancellor is directed by the commissioner to
17 contract with a licensed transportation carrier to provide the transpor-
18 tation required pursuant to this section, the chancellor shall provide
19 the commissioner with a copy of such proposed contract, before it
20 becomes effective, and the commissioner shall have the power to approve,
21 disapprove or require amendments to such contract before it shall become
22 effective.

23 (d) A district, determined by the commissioner to not be in compliance
24 with the requirements of this section, shall be responsible for the cost
25 of any transportation contract awarded by the chancellor.

26 8. The parent or guardian, or any representative authorized by such
27 parent or guardian, may submit a written request for transportation
28 under this section, in the same manner and upon the same dates as are

1 required for a request for transportation pursuant to subdivision two of
2 section thirty-six hundred thirty-five of this article.

3 § 8. Section 3641 of the education law is amended by adding a new
4 subdivision 6-c to read as follows:

5 6-c. Teacher excellence fund. a. Within the amount appropriated for
6 such purpose, subject to a request for proposals developed by the
7 commissioner and approved by the director of the budget, the commission-
8 er shall award teacher excellence fund grants pursuant to this subdivi-
9 sion to eligible school districts, beginning in the two thousand four-
10 teen--two thousand fifteen school year, to provide teacher excellence
11 fund performance awards to highly effective teachers.

12 (1) Teacher excellence fund performance awards shall be allocated in
13 an annual amount of up to twenty thousand dollars to eligible teachers
14 rated as "highly effective" based on the most recent annual professional
15 performance review, in accordance with the requirements of section three
16 thousand twelve-c of this chapter and regulations of the commissioner.

17 (2) On an annual basis, eligible school districts may submit an appli-
18 cation to the commissioner, in a form and manner prescribed by the
19 commissioner, to request funding pursuant to this subdivision.

20 (3) The commissioner shall make available such application on or
21 before May fifteenth of the preceding school year and the commissioner
22 shall issue preliminary teacher excellence fund grant awards on or
23 before October fifteenth of the school year in which the eligible teach-
24 er shall receive a teacher excellence fund performance award.

25 (4) Applications submitted by eligible school districts shall include
26 information required by the commissioner including, but not limited to,
27 the extent to which the school district's plan is intended to recognize
28 and reward highly-effective teachers: (i) in school buildings with the

1 greatest academic need; (ii) in difficult-to-staff subject or certif-
2 ication areas and/or grade levels; and (iii) at critical points in a
3 teacher's career in order to encourage highly effective teachers to
4 remain in the classroom.

5 (5) The commissioner shall prioritize applications submitted by eligi-
6 ble school districts based on factors including, but not limited to, the
7 factors described in subparagraph four of this paragraph and the quality
8 of the proposal.

9 (6) Notwithstanding any other provision of law to the contrary, the
10 teacher excellence fund performance awards provided by this subdivision
11 shall be in addition to, and shall not be considered part of, a teach-
12 er's basic annual salary, and shall not be included as compensation for
13 retirement purposes. Teacher excellence fund performance awards shall
14 supplement and shall not supplant compensation from sources exclusive of
15 this subdivision agreed to as part of a collective bargaining agreement.

16 b. For the purpose of this subdivision:

17 (1) The term "eligible school district" shall mean a common, union
18 free, central, central high school, city, or special act school district
19 that has entered into an agreement with the collective bargaining repre-
20 sentatives of certified teachers consistent with the provisions of the
21 application submitted by the school district pursuant to paragraph a of
22 this subdivision.

23 (2) The term "eligible teacher" shall mean a teacher who (i) holds an
24 initial, provisional, transitional, permanent or professional state
25 teaching certificate appropriate to the teaching positions, including
26 the subject area if applicable, in which he or she is employed; (ii) is
27 a classroom teacher subject to the annual professional performance
28 review requirements of section three thousand twelve-c of this chapter;

1 and (iii) is rated "highly effective" based on his or her most recent
2 annual professional performance review, in accordance with the require-
3 ments of section three thousand twelve-c of this chapter and regulations
4 of the commissioner.

5 § 9. Subdivision 6 of section 4402 of the education law, as amended by
6 section 21 of part A of chapter 57 of the laws of 2013, is amended to
7 read as follows:

8 6. Notwithstanding any other law, rule or regulation to the contrary,
9 the board of education of a city school district with a population of
10 one hundred twenty-five thousand or more inhabitants shall be permitted
11 to establish maximum class sizes for special classes for certain
12 students with disabilities in accordance with the provisions of this
13 subdivision. For the purpose of obtaining relief from any adverse fiscal
14 impact from under-utilization of special education resources due to low
15 student attendance in special education classes at the middle and
16 secondary level as determined by the commissioner, such boards of educa-
17 tion shall, during the school years nineteen hundred ninety-five--nine-
18 ty-six through June thirtieth, two thousand [fourteen] fifteen of the
19 two thousand [thirteen] fourteen--two thousand [fourteen] fifteen school
20 year, be authorized to increase class sizes in special classes contain-
21 ing students with disabilities whose age ranges are equivalent to those
22 of students in middle and secondary schools as defined by the commis-
23 sioner for purposes of this section by up to but not to exceed one and
24 two tenths times the applicable maximum class size specified in regu-
25 lations of the commissioner rounded up to the nearest whole number,
26 provided that in a city school district having a population of one
27 million or more, classes that have a maximum class size of fifteen may
28 be increased by no more than one student and provided that the projected

1 average class size shall not exceed the maximum specified in the appli-
2 cable regulation, provided that such authorization shall terminate on
3 June thirtieth, two thousand. Such authorization shall be granted upon
4 filing of a notice by such a board of education with the commissioner
5 stating the board's intention to increase such class sizes and a certif-
6 ication that the board will conduct a study of attendance problems at
7 the secondary level and will implement a corrective action plan to
8 increase the rate of attendance of students in such classes to at least
9 the rate for students attending regular education classes in secondary
10 schools of the district. Such corrective action plan shall be submitted
11 for approval by the commissioner by a date during the school year in
12 which such board increases class sizes as provided pursuant to this
13 subdivision to be prescribed by the commissioner. Upon at least thirty
14 days notice to the board of education, after conclusion of the school
15 year in which such board increases class sizes as provided pursuant to
16 this subdivision, the commissioner shall be authorized to terminate such
17 authorization upon a finding that the board has failed to develop or
18 implement an approved corrective action plan.

19 § 10. The education law is amended by adding a new section 4403-a to
20 read as follows:

21 § 4403-a. Waivers from certain duties. 1. A local school district,
22 approved private school or board of cooperative educational services may
23 submit an application for a waiver from any requirement imposed on such
24 district, school or board of cooperative educational services pursuant
25 to section forty-four hundred two or section forty-four hundred three of
26 this article, and regulations promulgated thereunder, for a specific
27 school year. Such application must be submitted at least sixty days in

1 advance of the proposed date on which the waiver would be effective and
2 shall be in a form prescribed by the commissioner.

3 2. Before submitting an application for a waiver, the local school
4 district, approved private school or board of cooperative educational
5 services shall provide notice of the proposed waiver to the parents or
6 persons in parental relationship to the students that would be impacted
7 by the waiver if granted. Such notice shall be in a form and manner that
8 will ensure that such parents and persons in parental relationship will
9 be aware of all relevant changes that would occur under the waiver, and
10 shall include information on the form, manner and date by which parents
11 may submit written comments on the proposed waiver. The local school
12 district, approved private school, or board of cooperative educational
13 services shall provide at least sixty days for such parents and persons
14 in parental relationship to submit written comments, and shall include
15 in the waiver application submitted to the commissioner pursuant to
16 subdivision one of this section any written comments received from such
17 parents or persons in parental relation to such students.

18 3. The commissioner may grant a waiver from any requirement imposed on
19 a local school district, approved private school or board of cooperative
20 educational services pursuant to section forty-four hundred two or
21 section forty-four hundred three of this article, upon a finding that
22 such waiver will enable a local school district, approved private school
23 or board of cooperative educational services to implement an innovative
24 special education program that is consistent with applicable federal
25 requirements, and will enhance student achievement and/or opportunities
26 for placement in regular classes and programs. In making such determi-
27 nation, the commissioner shall consider any comments received by the
28 local school district, approved private school or board of cooperative

1 educational services from parents or persons in parental relation to the
2 students that would be directly affected by the waiver if granted.

3 4. Any local school district, approved private school or board of
4 cooperative educational services granted a waiver shall submit an annual
5 report to the commissioner regarding the operation and evaluation of the
6 program no later than thirty days after the end of each school year for
7 which a waiver is granted.

8 § 11. Subparagraph (i) of paragraph a of subdivision 10 of section
9 4410 of the education law, as amended by chapter 82 of the laws of 1995,
10 is amended and a new subparagraph (iv) is added to read as follows:

11 (i) (A) Commencing with the nineteen hundred ninety--ninety-one school
12 year, the commissioner shall annually determine the tuition rate for
13 approved services or programs provided to preschool children pursuant to
14 this section. Such rates for providers of such services and programs
15 shall be determined in conformance with a methodology established pursu-
16 ant to subdivision four of section forty-four hundred five of this arti-
17 cle after consultation with and a review of an annual report prepared by
18 the advisory committee established pursuant to paragraph a of subdivi-
19 sion twelve of this section and shall be subject to the approval of the
20 director of the budget. Notwithstanding any other provision of law, rule
21 or regulation to the contrary, tuition rates established for the nine-
22 teen hundred ninety-five--ninety-six school year shall exclude the two
23 percent cost of living adjustment authorized in rates established for
24 the nineteen hundred ninety-four--ninety-five school year.

25 (B) Notwithstanding any other provision of law, rule or regulation to
26 the contrary, for the two thousand fourteen--two thousand fifteen school
27 year and thereafter, the commissioner, subject to the approval of the
28 director of the budget, shall establish regional tuition rates for

1 special education itinerant services based on approved actual costs in
2 accordance with a methodology established pursuant to subdivision four
3 of section forty-four hundred five of this article. Such special educa-
4 tion itinerant services shall be provided by approved programs, and such
5 approved programs shall be reimbursed for such services based on the
6 actual attendance of preschool children receiving such services.

7 (iv) Notwithstanding any other provision of law, rule or regulation to
8 the contrary, for the two thousand fourteen--two thousand fifteen school
9 year and thereafter, the city of New York shall be authorized to estab-
10 lish local tuition rates for approved special education itinerant
11 services provided within the city of New York through a competitive
12 request for proposals process, provided that such local tuition rates
13 shall not exceed the tuition rates determined by the commissioner and
14 approved by the director of the budget pursuant to subparagraphs (i)
15 through (iii) of this paragraph, and section forty-four hundred five of
16 this article. The local tuition rates so established shall be used in
17 the contracts with providers providing special education itinerant
18 services within the city of New York. Notwithstanding any other
19 provision of this article to the contrary, the city of New York shall be
20 responsible for arranging for and selecting the approved special educa-
21 tion itinerant program provider through the competitive request for
22 proposal process to deliver the services consistent with the individual-
23 ized education program of the preschool child. Provided, however, that
24 the competitive request for proposal process authorized by this subpara-
25 graph shall not apply to preschool children with disabilities who
26 received programs or services pursuant to this section in the two thou-
27 sand thirteen--two thousand fourteen school year. The city of New York

1 shall be required to provide data relating to its local tuition rates to
2 the department in the form and manner prescribed by the commissioner.

3 § 12. Subdivision b of section 2 of chapter 756 of the laws of 1992,
4 relating to funding a program for work force education conducted by the
5 consortium for worker education in New York city, as amended by section
6 27 of part A of chapter 57 of the laws of 2013, is amended to read as
7 follows:

8 b. Reimbursement for programs approved in accordance with subdivision
9 a of this section [for the 2010--2011 school year shall not exceed 62.6
10 percent of the lesser of such approvable costs per contact hour or
11 twelve dollars and five cents per contact hour, reimbursement] for the
12 2011--2012 school year shall not exceed 62.9 percent of the lesser of
13 such approvable costs per contact hour or twelve dollars and fifteen
14 cents per contact hour, reimbursement for the 2012--2013 school year
15 shall not exceed 63.3 percent of the lesser of such approvable costs per
16 contact hour or twelve dollars and thirty-five cents per contact hour,
17 [and] reimbursement for the 2013--2014 school year shall not exceed 62.3
18 percent of the lesser of such approvable costs per contact hour or
19 twelve dollars and sixty-five cents per contact hour, and reimbursement
20 for the 2014--2015 school year shall not exceed 61.6 percent of the
21 lesser of such approvable costs per contact hour or eight dollars and
22 three cents per contact hour where a contact hour represents sixty
23 minutes of instruction services provided to an eligible adult. Notwith-
24 standing any other provision of law to the contrary, [for the 2010--2011
25 school year such contact hours shall not exceed one million five hundred
26 twenty-five thousand one hundred ninety-eight (1,525,198) hours; where-
27 as] for the 2011--2012 school year such contact hours shall not exceed
28 one million seven hundred one thousand five hundred seventy (1,701,570)

1 hours; whereas for the 2012--2013 school year such contact hours shall
2 not exceed one million six hundred sixty-four thousand five hundred
3 thirty-two (1,664,532) hours; whereas for the 2013--2014 school year
4 such contact hours shall not exceed one million six hundred forty-nine
5 thousand seven hundred forty-six (1,649,746) hours; whereas for the
6 2014--2015 school year such contact hours shall not exceed one million
7 four hundred thirty-two thousand one hundred twenty-nine (1,432,129)
8 hours. Notwithstanding any other provision of law to the contrary, the
9 apportionment calculated for the city school district of the city of New
10 York pursuant to subdivision 11 of section 3602 of the education law
11 shall be computed as if such contact hours provided by the consortium
12 for worker education, not to exceed the contact hours set forth herein,
13 were eligible for aid in accordance with the provisions of such subdivi-
14 sion 11 of section 3602 of the education law.

15 § 13. Section 4 of chapter 756 of the laws of 1992, relating to fund-
16 ing a program for work force education conducted by the consortium for
17 worker education in New York city, is amended by adding a new subdivi-
18 sion s to read as follows:

19 s. The provisions of this subdivision shall not apply after the
20 completion of payments for the 2014--2015 school year. Notwithstanding
21 any inconsistent provisions of law, the commissioner of education shall
22 withhold a portion of employment preparation education aid due to the
23 city school district of the city of New York to support a portion of the
24 costs of the work force education program. Such moneys shall be credited
25 to the elementary and secondary education fund-local assistance account
26 and shall not exceed eleven million five hundred thousand dollars
27 (\$11,500,000).

1 § 14. Section 6 of chapter 756 of the laws of 1992, relating to fund-
2 ing a program for work force education conducted by the consortium for
3 worker education in New York city, as amended by section 29 of part A of
4 chapter 57 of the laws of 2013, is amended to read as follows:

5 § 6. This act shall take effect July 1, 1992, and shall be deemed
6 repealed on June 30, [2014] 2015.

7 § 15. Subdivision 1 of section 167 of chapter 169 of the laws of 1994,
8 relating to certain provisions related to the 1994-95 state operations,
9 aid to localities, capital projects and debt service budgets, as amended
10 by section 30 of part A of chapter 57 of the laws of 2013, is amended to
11 read as follows:

12 1. Sections one through seventy of this act shall be deemed to have
13 been in full force and effect as of April 1, 1994 provided, however,
14 that sections one, two, twenty-four, twenty-five and twenty-seven
15 through seventy of this act shall expire and be deemed repealed on March
16 31, 2000; provided, however, that section twenty of this act shall apply
17 only to hearings commenced prior to September 1, 1994, and provided
18 further that section twenty-six of this act shall expire and be deemed
19 repealed on March 31, 1997; and provided further that sections four
20 through fourteen, sixteen, and eighteen, nineteen and twenty-one through
21 twenty-one-a of this act shall expire and be deemed repealed on March
22 31, 1997; and provided further that sections three, fifteen, seventeen,
23 twenty, twenty-two and twenty-three of this act shall expire and be
24 deemed repealed on March 31, [2015] 2016.

25 § 16. Subdivisions 22 and 24 of section 140 of chapter 82 of the laws
26 of 1995, amending the education law and certain other laws relating to
27 state aid to school districts and the appropriation of funds for the

1 support of government, as amended by section 31 of part A of chapter 57
2 of the laws of 2013, are amended to read as follows:

3 (22) sections one hundred twelve, one hundred thirteen, one hundred
4 fourteen, one hundred fifteen and one hundred sixteen of this act shall
5 take effect on July 1, 1995; provided, however, that section one hundred
6 thirteen of this act shall remain in full force and effect until July 1,
7 [2014] 2015 at which time it shall be deemed repealed;

8 (24) sections one hundred eighteen through one hundred thirty of this
9 act shall be deemed to have been in full force and effect on and after
10 July 1, 1995; provided further, however, that the amendments made pursu-
11 ant to section one hundred [nineteen] twenty-four of this act shall be
12 deemed to be repealed on and after July 1, [2014] 2015;

13 § 17. Subdivision 8 of section 4401 of the education law, as amended
14 by section 25-a of part A of chapter 57 of the laws of 2013, is amended
15 to read as follows:

16 8. "School district basic contribution" shall mean an amount equal to
17 the total school district local property and non-property tax levy for
18 the base year divided by the base year public school district enrollment
19 of resident pupils of the school district as defined in paragraph n of
20 subdivision one of section thirty-six hundred two of this chapter,
21 except that for the two thousand thirteen--two thousand fourteen and two
22 thousand fourteen--two thousand fifteen school [year] years, for school
23 districts other than central high school districts and their components,
24 such tax levy for the base year shall be divided by the year prior to
25 the base year pupil count as determined by the commissioner pursuant to
26 paragraph f of subdivision two of section thirty-six hundred two of this
27 chapter for any school district in which such year prior to the base

1 year pupil count exceeds one hundred fifty percent of such base year
2 public school district enrollment of resident pupils.

3 § 18. Section 12 of chapter 147 of the laws of 2001, amending the
4 education law relating to conditional appointment of school district,
5 charter school or BOCES employees, as amended by section 32 of part A of
6 chapter 57 of the laws of 2013, is amended to read as follows:

7 § 12. This act shall take effect on the same date as chapter 180 of
8 the laws of 2000 takes effect, and shall expire July 1, [2014] 2015 when
9 upon such date the provisions of this act shall be deemed repealed.

10 § 19. Section 4 of chapter 425 of the laws of 2002, amending the
11 education law relating to the provisions of supplemental educational
12 services, attendance at a safe public school and the suspension of
13 pupils who bring a firearm to or possess a firearm at a school, as
14 amended by section 33 of part A of chapter 57 of the laws of 2013, is
15 amended to read as follows:

16 § 4. This act shall take effect July 1, 2002 and shall expire and be
17 deemed repealed June 30, [2014] 2015.

18 § 20. Section 5 of chapter 101 of the laws of 2003, amending the
19 education law relating to implementation of the No Child Left Behind Act
20 of 2001, as amended by section 34 of part A of chapter 57 of the laws of
21 2013, is amended to read as follows:

22 § 5. This act shall take effect immediately; provided that sections
23 one, two and three of this act shall expire and be deemed repealed on
24 June 30, [2014] 2015.

25 § 21. The opening paragraph of subdivision 10 of section 3602-e of the
26 education law, as amended by section 10-a of part A of chapter 57 of the
27 laws of 2012, is amended to read as follows:

1 Notwithstanding any provision of law to the contrary, for aid payable
2 in the two thousand eight--two thousand nine school year, the grant to
3 each eligible school district for universal prekindergarten aid shall be
4 computed pursuant to this subdivision, and for the two thousand nine--
5 two thousand ten and two thousand ten--two thousand eleven school years,
6 each school district shall be eligible for a maximum grant equal to the
7 amount computed for such school district for the base year in the elec-
8 tronic data file produced by the commissioner in support of the two
9 thousand nine--two thousand ten education, labor and family assistance
10 budget, provided, however, that in the case of a district implementing
11 programs for the first time or implementing expansion programs in the
12 two thousand eight--two thousand nine school year where such programs
13 operate for a minimum of ninety days in any one school year as provided
14 in section 151-1.4 of the regulations of the commissioner, for the two
15 thousand nine--two thousand ten and two thousand ten--two thousand elev-
16 en school years, such school district shall be eligible for a maximum
17 grant equal to the amount computed pursuant to paragraph a of subdivi-
18 sion nine of this section in the two thousand eight--two thousand nine
19 school year, and for the two thousand eleven--two thousand twelve school
20 year each school district shall be eligible for a maximum grant equal to
21 the amount set forth for such school district as "UNIVERSAL PREKINDER-
22 GARTEN" under the heading "2011-12 ESTIMATED AIDS" in the school aid
23 computer listing produced by the commissioner in support of the enacted
24 budget for the 2011-12 school year and entitled "SA111-2", and for two
25 thousand twelve--two thousand thirteen [and], two thousand thirteen--two
26 thousand fourteen and two thousand fourteen--two thousand fifteen school
27 years each school district shall be eligible for a maximum grant equal
28 to the greater of (i) the amount set forth for such school district as

1 "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS"
2 in the school aid computer listing produced by the commissioner in
3 support of the enacted budget for the 2011-12 school year and entitled
4 "SA111-2", or (ii) the amount set forth for such school district as
5 "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS"
6 in the school aid computer listing produced by the commissioner on May
7 fifteenth, two thousand eleven pursuant to paragraph b of subdivision
8 twenty-one of section three hundred five of this chapter, and provided
9 further that the maximum grant shall not exceed the total actual grant
10 expenditures incurred by the school district in the current school year
11 as approved by the commissioner.

12 § 22. School bus driver training. In addition to apportionments other-
13 wise provided by section 3602 of the education law, for aid payable in
14 the 2014--2015 school year, the commissioner of education shall allocate
15 school bus driver training grants to school districts and boards of
16 cooperative educational services pursuant to sections 3650-a, 3650-b and
17 3650-c of the education law, or for contracts directly with not-for-pro-
18 fit educational organizations for the purposes of this section. Such
19 payments shall not exceed four hundred thousand dollars (\$400,000) per
20 school year.

21 § 23. Special apportionment for salary expenses. a. Notwithstanding
22 any other provision of law, upon application to the commissioner of
23 education, not sooner than the first day of the second full business
24 week of June, 2015 and not later than the last day of the third full
25 business week of June, 2015, a school district eligible for an appor-
26 tionment pursuant to section 3602 of the education law shall be eligible
27 to receive an apportionment pursuant to this section, for the school
28 year ending June 30, 2015, for salary expenses incurred between April 1

1 and June 30, 2015 and such apportionment shall not exceed the sum of (i)
2 the deficit reduction assessment of 1990--1991 as determined by the
3 commissioner of education, pursuant to paragraph f of subdivision 1 of
4 section 3602 of the education law, as in effect through June 30, 1993,
5 plus (ii) 186 percent of such amount for a city school district in a
6 city with a population in excess of 1,000,000 inhabitants, plus (iii)
7 209 percent of such amount for a city school district in a city with a
8 population of more than 195,000 inhabitants and less than 219,000 inhab-
9 itants according to the latest federal census, plus (iv) the net gap
10 elimination adjustment for 2010--2011, as determined by the commissioner
11 of education pursuant to chapter 53 of the laws of 2010, plus (v) the
12 gap elimination adjustment for 2011--2012 as determined by the commis-
13 sioner of education pursuant to subdivision 17 of section 3602 of the
14 education law, and provided further that such apportionment shall not
15 exceed such salary expenses. Such application shall be made by a school
16 district, after the board of education or trustees have adopted a resol-
17 ution to do so and in the case of a city school district in a city with
18 a population in excess of 125,000 inhabitants, with the approval of the
19 mayor of such city.

20 b. The claim for an apportionment to be paid to a school district
21 pursuant to subdivision a of this section shall be submitted to the
22 commissioner of education on a form prescribed for such purpose, and
23 shall be payable upon determination by such commissioner that the form
24 has been submitted as prescribed. Such approved amounts shall be payable
25 on the same day in September of the school year following the year in
26 which application was made as funds provided pursuant to subparagraph
27 (4) of paragraph b of subdivision 4 of section 92-c of the state finance
28 law, on the audit and warrant of the state comptroller on vouchers

1 certified or approved by the commissioner of education in the manner
2 prescribed by law from moneys in the state lottery fund and from the
3 general fund to the extent that the amount paid to a school district
4 pursuant to this section exceeds the amount, if any, due such school
5 district pursuant to subparagraph (2) of paragraph a of subdivision 1 of
6 section 3609-a of the education law in the school year following the
7 year in which application was made.

8 c. Notwithstanding the provisions of section 3609-a of the education
9 law, an amount equal to the amount paid to a school district pursuant to
10 subdivisions a and b of this section shall first be deducted from the
11 following payments due the school district during the school year
12 following the year in which application was made pursuant to subpara-
13 graphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of
14 section 3609-a of the education law in the following order: the lottery
15 apportionment payable pursuant to subparagraph (2) of such paragraph
16 followed by the fixed fall payments payable pursuant to subparagraph (4)
17 of such paragraph and then followed by the district's payments to the
18 teachers' retirement system pursuant to subparagraph (1) of such para-
19 graph, and any remainder to be deducted from the individualized payments
20 due the district pursuant to paragraph b of such subdivision shall be
21 deducted on a chronological basis starting with the earliest payment due
22 the district.

23 § 24. Special apportionment for public pension accruals. a. Notwith-
24 standing any other provision of law, upon application to the commission-
25 er of education, not later than June 30, 2015, a school district eligi-
26 ble for an apportionment pursuant to section 3602 of the education law
27 shall be eligible to receive an apportionment pursuant to this section,
28 for the school year ending June 30, 2015 and such apportionment shall

1 not exceed the additional accruals required to be made by school
2 districts in the 2004--2005 and 2005--2006 school years associated with
3 changes for such public pension liabilities. The amount of such addi-
4 tional accrual shall be certified to the commissioner of education by
5 the president of the board of education or the trustees or, in the case
6 of a city school district in a city with a population in excess of
7 125,000 inhabitants, the mayor of such city. Such application shall be
8 made by a school district, after the board of education or trustees have
9 adopted a resolution to do so and in the case of a city school district
10 in a city with a population in excess of 125,000 inhabitants, with the
11 approval of the mayor of such city.

12 b. The claim for an apportionment to be paid to a school district
13 pursuant to subdivision a of this section shall be submitted to the
14 commissioner of education on a form prescribed for such purpose, and
15 shall be payable upon determination by such commissioner that the form
16 has been submitted as prescribed. Such approved amounts shall be payable
17 on the same day in September of the school year following the year in
18 which application was made as funds provided pursuant to subparagraph
19 (4) of paragraph b of subdivision 4 of section 92-c of the state finance
20 law, on the audit and warrant of the state comptroller on vouchers
21 certified or approved by the commissioner of education in the manner
22 prescribed by law from moneys in the state lottery fund and from the
23 general fund to the extent that the amount paid to a school district
24 pursuant to this section exceeds the amount, if any, due such school
25 district pursuant to subparagraph (2) of paragraph a of subdivision 1 of
26 section 3609-a of the education law in the school year following the
27 year in which application was made.

1 c. Notwithstanding the provisions of section 3609-a of the education
2 law, an amount equal to the amount paid to a school district pursuant to
3 subdivisions a and b of this section shall first be deducted from the
4 following payments due the school district during the school year
5 following the year in which application was made pursuant to subpara-
6 graphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of
7 section 3609-a of the education law in the following order: the lottery
8 apportionment payable pursuant to subparagraph (2) of such paragraph
9 followed by the fixed fall payments payable pursuant to subparagraph (4)
10 of such paragraph and then followed by the district's payments to the
11 teachers' retirement system pursuant to subparagraph (1) of such para-
12 graph, and any reminder to be deducted from the individualized payments
13 due the district pursuant to paragraph b of such subdivision shall be
14 deducted on a chronological basis starting with the earliest payment due
15 the district.

16 § 25. a. Notwithstanding any other law, rule or regulation to the
17 contrary, any moneys appropriated to the state education department may
18 be suballocated to other state departments or agencies, as needed, to
19 accomplish the intent of the specific appropriations contained therein.

20 b. Notwithstanding any other law, rule or regulation to the contrary,
21 moneys appropriated to the state education department from the general
22 fund/aid to localities, local assistance account-001, shall be for
23 payment of financial assistance, as scheduled, net of disallowances,
24 refunds, reimbursement and credits.

25 c. Notwithstanding any other law, rule or regulation to the contrary,
26 all moneys appropriated to the state education department for aid to
27 localities shall be available for payment of aid heretofore or hereafter

1 to accrue and may be suballocated to other departments and agencies to
2 accomplish the intent of the specific appropriations contained therein.

3 d. Notwithstanding any other law, rule or regulation to the contrary,
4 moneys appropriated to the state education department for general
5 support for public schools may be interchanged with any other item of
6 appropriation for general support for public schools within the general
7 fund local assistance account office of prekindergarten through grade
8 twelve education programs.

9 § 26. Notwithstanding the provision of any law, rule, or regulation to
10 the contrary, the city school district of the city of Rochester, upon
11 the consent of the board of cooperative educational services of the
12 supervisory district serving its geographic region may purchase from
13 such board for the 2014--2015 school year, as a non-component school
14 district, services required by article 19 of the education law.

15 § 27. The amounts specified in this section shall be a set aside from
16 the state funds which each such district is receiving from the total
17 foundation aid: for the purpose of the development, maintenance or
18 expansion of magnet schools or magnet school programs for the 2014--2015
19 school year. To the city school district of the city of New York there
20 shall be paid forty-eight million one hundred seventy-five thousand
21 dollars (\$48,175,000) including five hundred thousand dollars (\$500,000)
22 for the Andrew Jackson High School; to the Buffalo city school district,
23 twenty-one million twenty-five thousand dollars (\$21,025,000); to the
24 Rochester city school district, fifteen million dollars (\$15,000,000);
25 to the Syracuse city school district, thirteen million dollars
26 (\$13,000,000); to the Yonkers city school district, forty-nine million
27 five hundred thousand dollars (\$49,500,000); to the Newburgh city school
28 district, four million six hundred forty-five thousand dollars

1 (\$4,645,000); to the Poughkeepsie city school district, two million four
2 hundred seventy-five thousand dollars (\$2,475,000); to the Mount Vernon
3 city school district, two million dollars (\$2,000,000); to the New
4 Rochelle city school district, one million four hundred ten thousand
5 dollars (\$1,410,000); to the Schenectady city school district, one
6 million eight hundred thousand dollars (\$1,800,000); to the Port Chester
7 city school district, one million one hundred fifty thousand dollars
8 (\$1,150,000); to the White Plains city school district, nine hundred
9 thousand dollars (\$900,000); to the Niagara Falls city school district,
10 six hundred thousand dollars (\$600,000); to the Albany city school
11 district, three million five hundred fifty thousand dollars
12 (\$3,550,000); to the Utica city school district, two million dollars
13 (\$2,000,000); to the Beacon city school district, five hundred sixty-six
14 thousand dollars (\$566,000); to the Middletown city school district,
15 four hundred thousand dollars (\$400,000); to the Freeport union free
16 school district, four hundred thousand dollars (\$400,000); to the Green-
17 burgh central school district, three hundred thousand dollars
18 (\$300,000); to the Amsterdam city school district, eight hundred thou-
19 sand dollars (\$800,000); to the Peekskill city school district, two
20 hundred thousand dollars (\$200,000); and to the Hudson city school
21 district, four hundred thousand dollars (\$400,000). Notwithstanding the
22 provisions of this section, a school district receiving a grant pursuant
23 to this section may use such grant funds for: (i) any instructional or
24 instructional support costs associated with the operation of a magnet
25 school; or (ii) any instructional or instructional support costs associ-
26 ated with implementation of an alternative approach to reduction of
27 racial isolation and/or enhancement of the instructional program and
28 raising of standards in elementary and secondary schools of school

1 districts having substantial concentrations of minority students. The
2 commissioner of education shall not be authorized to withhold magnet
3 grant funds from a school district that used such funds in accordance
4 with this paragraph, notwithstanding any inconsistency with a request
5 for proposals issued by such commissioner. For the purpose of attendance
6 improvement and dropout prevention for the 2014--2015 school year, for
7 any city school district in a city having a population of more than one
8 million, the setaside for attendance improvement and dropout prevention
9 shall equal the amount set aside in the base year. For the 2014--2015
10 school year, it is further provided that any city school district in a
11 city having a population of more than one million shall allocate at
12 least one-third of any increase from base year levels in funds set aside
13 pursuant to the requirements of this subdivision to community-based
14 organizations. Any increase required pursuant to this subdivision to
15 community-based organizations must be in addition to allocations
16 provided to community-based organizations in the base year. For the
17 purpose of teacher support for the 2014--2015 school year: to the city
18 school district of the city of New York, sixty-two million seven hundred
19 seven thousand dollars (\$62,707,000); to the Buffalo city school
20 district, one million seven hundred forty-one thousand dollars
21 (\$1,741,000); to the Rochester city school district, one million seven-
22 ty-six thousand dollars (\$1,076,000); to the Yonkers city school
23 district, one million one hundred forty-seven thousand dollars
24 (\$1,147,000); and to the Syracuse city school district, eight hundred
25 nine thousand dollars (\$809,000). All funds made available to a school
26 district pursuant to this section shall be distributed among teachers
27 including prekindergarten teachers and teachers of adult vocational and
28 academic subjects in accordance with this section and shall be in addi-

1 tion to salaries heretofore or hereafter negotiated or made available;
2 provided, however, that all funds distributed pursuant to this section
3 for the current year shall be deemed to incorporate all funds distrib-
4 uted pursuant to former subdivision 27 of section 3602 of the education
5 law for prior years. In school districts where the teachers are repres-
6 ented by certified or recognized employee organizations, all salary
7 increases funded pursuant to this section shall be determined by sepa-
8 rate collective negotiations conducted pursuant to the provisions and
9 procedures of article 14 of the civil service law, notwithstanding the
10 existence of a negotiated agreement between a school district and a
11 certified or recognized employee organization.

12 § 28. Support of public libraries. The moneys appropriated for the
13 support of public libraries by a chapter of the laws of 2014 enacting
14 the aid to localities budget shall be apportioned for the 2014--2015
15 state fiscal year in accordance with the provisions of sections 271,
16 272, 273, 282, 284, and 285 of the education law as amended by the
17 provisions of this chapter and the provisions of this section, provided
18 that library construction aid pursuant to section 273-a of the education
19 law shall not be payable from the appropriations for the support of
20 public libraries and provided further that no library, library system or
21 program, as defined by the commissioner of education, shall receive less
22 total system or program aid than it received for the year 2001--2002
23 except as a result of a reduction adjustment necessary to conform to the
24 appropriations for support of public libraries.

25 Notwithstanding any other provision of law to the contrary the moneys
26 appropriated for the support of public libraries for the year 2014--2015
27 by a chapter of the laws of 2014 enacting the education, labor and fami-
28 ly assistance budget shall fulfill the state's obligation to provide

1 such aid and, pursuant to a plan developed by the commissioner of educa-
2 tion and approved by the director of the budget, the aid payable to
3 libraries and library systems pursuant to such appropriations shall be
4 reduced proportionately to assure that the total amount of aid payable
5 does not exceed the total appropriations for such purpose.

6 § 29. Severability. The provisions of this act shall be severable, and
7 if the application of any clause, sentence, paragraph, subdivision,
8 section or part of this act to any person or circumstance shall be
9 adjudged by any court of competent jurisdiction to be invalid, such
10 judgment shall not necessarily affect, impair or invalidate the applica-
11 tion of any such clause, sentence, paragraph, subdivision, section, part
12 of this act or remainder thereof, as the case may be, to any other
13 person or circumstance, but shall be confined in its operation to the
14 clause, sentence, paragraph, subdivision, section or part thereof
15 directly involved in the controversy in which such judgment shall have
16 been rendered.

17 § 30. This act shall take effect immediately, and shall be deemed to
18 have been in full force and effect on and after April 1, 2014, provided,
19 however, that:

20 1. Sections one, two, three, four, five, seven, nine, twelve, thir-
21 teen, seventeen, twenty-two, twenty-six and twenty-seven of this act
22 shall take effect July 1, 2014.

23 2. The amendments to subdivision 6 of section 4402 of the education
24 law made by section nine of this act shall not affect the repeal of such
25 subdivision and shall be deemed repealed therewith.

26 3. Section eleven of this act shall take effect April 1, 2014 and
27 shall first apply to the provision of services and programs pursuant to
28 section 4410 of the education law in the 2014-2015 school year, provided

1 that the provisions of subparagraph (iv) of paragraph a of subdivision
2 10 of section 4410 of the education law, as added by such section of
3 this act, shall expire and be deemed repealed June 30, 2019.

4 4. The amendments to chapter 756 of the laws of 1992, relating to
5 funding a program for work force education conducted by a consortium for
6 worker education in New York city, made by sections twelve and thirteen
7 of this act shall not affect the repeal of such chapter and shall be
8 deemed repealed therewith.

9 5. Section sixteen of this act shall take effect immediately and shall
10 be deemed to have been in full force and effect on and after the effec-
11 tive date of section 140 of chapter 82 of the laws of 1995.

12 6. Section twenty-five of this act shall expire and be deemed repealed
13 June 30, 2015.

14 PART B

15 Section 1. The smart schools bond act of 2014 is enacted to read as
16 follows:

17 SMART SCHOOLS BOND ACT OF 2014

18 Section 1. Short title.

19 2. Creation of a state debt.

20 3. Bonds of the state.

21 4. Use of moneys received.

22 Section 1. Short title. This act shall be known and may be cited as the
23 "smart schools bond act of 2014".

1 § 2. Creation of a state debt. The creation of a state debt in an
2 amount not exceeding in the aggregate two billion dollars
3 (\$2,000,000,000) is hereby authorized to provide moneys for the single
4 purpose of improving learning and opportunity for public school students
5 of the state by funding capital projects to: acquire learning technology
6 equipment or facilities including, but not limited to, interactive
7 whiteboards, computer servers, and desktop, laptop and tablet computers;
8 install high-speed broadband or wireless internet connectivity for
9 schools and communities; and construct, enhance, and modernize educa-
10 tional facilities to accommodate pre-kindergarten programs. The legisla-
11 ture may, by appropriate legislation and subject to such conditions as
12 it may impose, make available out of the proceeds of the sale of bonds
13 authorized in this act, moneys disbursed or to be disbursed for the cost
14 of approved capital projects undertaken by, or on behalf of, school
15 districts for such purposes.

16 § 3. Bonds of the state. The state comptroller is hereby authorized
17 and empowered to issue and sell bonds of the state up to the aggregate
18 amount of two billion dollars (\$2,000,000,000) for the purposes of this
19 act, subject to the provisions of article five of the state finance law.
20 The aggregate principal amount of such bonds shall not exceed two
21 billion dollars (\$2,000,000,000) excluding bonds issued to refund or
22 otherwise repay bonds heretofore issued for such purpose; provided,
23 however, that upon any such refunding or repayment, the total aggregate
24 principal amount of outstanding bonds may be greater than two billion
25 dollars (\$2,000,000,000) only if the present value of the aggregate debt
26 service of the refunding or repayment bonds to be issued shall not
27 exceed the present value of the aggregate debt service of the bonds to

1 be refunded or repaid. The method for calculating present value shall be
2 determined by law.

3 § 4. Use of moneys received. The moneys received by the state from the
4 sale of bonds sold pursuant to this act shall be expended pursuant to
5 appropriations for capital projects related to design, planning, site
6 acquisition, demolition, construction, reconstruction, rehabilitation,
7 or acquisition and/or installation of equipment for the following types
8 of projects: capital projects related to educational technology equip-
9 ment or facilities including but not limited to interactive whiteboards;
10 computer servers; desktop and laptop computers, and tablets; high-speed
11 broadband or wireless internet connectivity for schools and communities;
12 and capital projects to construct, enhance or modernize educational
13 facilities to accommodate pre-kindergarten programs.

14 § 2. This act shall take effect immediately, provided that the
15 provisions of section one of this act shall not take effect unless and
16 until this act shall have been submitted to the people at the general
17 election to be held in November 2014 and shall have been approved by a
18 majority of all votes cast for and against it at such election. Upon
19 approval by the people, section one of this act shall take effect imme-
20 diately. The ballots to be furnished for the use of voters upon
21 submission of this act shall be in the form prescribed by the election
22 law and the proposition or question to be submitted shall be printed
23 thereon in substantially the following form, namely "The SMART SCHOOLS
24 BOND ACT OF 2014, as set forth in section one of part B of chapter (here
25 insert the chapter number) of the laws of 2014, authorizes the sale of
26 state bonds of up to two billion dollars (\$2,000,000,000) to provide
27 access to classroom technology and high-speed internet connectivity to
28 equalize opportunities for children to learn and to add classroom space

1 to expand high-quality pre-kindergarten programs. Shall the SMART
2 SCHOOLS BOND ACT OF 2014 be approved?".

3 PART C

4 Section 1. This act shall be known and may be cited as the "smart
5 schools implementation act of 2014".

6 § 2. Section 3641 of the education law is amended by adding a new
7 subdivision 16 to read as follows:

8 16. Implementation of the smart schools bond act of 2014. a. Defi-
9 nitions. The following terms, whenever used or referred to in this
10 subdivision, unless the context indicates otherwise, shall have the
11 following meanings:

12 (1) "Bonds" shall mean general obligation bonds issued pursuant to the
13 "smart schools bond act of 2014" in accordance with article VII of the
14 New York state constitution and article five of the state finance law.

15 (2) "Smart schools review board" shall mean a body comprised of the
16 chancellor of the state university of New York, the director of the
17 budget, and the commissioner, or their respective designees.

18 (3) "Smart schools investment plan" shall mean a document prepared by
19 a school district setting forth the smart schools project or projects to
20 be undertaken with such district's smart schools allocation.

21 (4) "Smart schools project" shall mean a capital project as set forth
22 and defined in subparagraphs five, six, or seven of this paragraph.

23 (5) "Pre-kindergarten project" shall mean a capital project which, as
24 a primary purpose, expands the availability of adequate and appropriate
25 instructional space for pre-kindergarten.

1 (6) "Community connectivity project" shall mean a capital project
2 which, as a primary purpose, expands high-speed broadband or wireless
3 internet connectivity in the local community, including school buildings
4 and campuses, for enhanced educational opportunity in the state.

5 (7) "Classroom technology project" shall mean a capital project to
6 expand high-speed broadband or wireless internet connectivity solely for
7 school buildings and campuses, or to acquire learning technology hard-
8 ware for schools, classrooms, and student use, including but not limited
9 to whiteboards, computer servers, desktop computers, laptop computers,
10 and tablet computers.

11 (8) "Selected school aid" shall mean the sum of the amounts set forth
12 as "FOUNDATION AID", "FULL DAY K CONVERSION", "BOCES", "SPECIAL
13 SERVICES", "HIGH COST EXCESS COST", "PRIVATE EXCESS COST", "HARDWARE &
14 TECHNOLOGY", "SOFTWARE, LIBRARY, TEXTBOOK", "TRANSPORTATION INCL
15 SUMMER", "OPERATING REORG INCENTIVE", "CHARTER SCHOOL TRANSITIONAL",
16 "ACADEMIC ENHANCEMENT", "HIGH TAX AID", and "SUPPLEMENTAL PUB EXCESS
17 COST" under the heading "2013-14 BASE YEAR AIDS" in the school aid
18 computer listing produced by the commissioner in support of the execu-
19 tive budget proposal for the two thousand fourteen-fifteen school year.

20 (9) "Smart schools allocation" shall mean, for each school district,
21 the product of (i) two billion dollars (\$2,000,000,000) multiplied by
22 (ii) the quotient of such school district's selected school aid divided
23 by the total selected school aid to all school districts.

24 b. Smart schools investment plans. (1) The smart schools review board
25 shall issue guidelines setting forth required components and eligibility
26 criteria for smart schools investment plans to be submitted by school
27 districts. Such guidelines shall include but not be limited to: (i) a
28 timeline for school district submission of smart schools investment

1 plans; (ii) any requirements for the use of available state procurement
2 options where applicable; and (iii) any limitations on the amount of a
3 district's smart schools allocation that may be used for assets with a
4 short probable life.

5 (2) No school district shall be entitled to a smart schools grant
6 until such district shall have submitted a smart schools investment plan
7 to the smart schools review board and received such board's approval of
8 such investment plan. In developing such investment plan, school
9 districts shall consult with parents, teachers, students, community
10 members and other stakeholders.

11 (3) The smart schools review board shall review all smart schools
12 investment plans for compliance with all eligibility criteria and other
13 requirements set forth in the guidelines. The smart schools review board
14 may approve or reject such plans, or may return such plans to the school
15 district for modifications. Upon approval, the smart schools project or
16 projects described in the investment plan shall be eligible for smart
17 schools grants. A smart schools project included in a school district's
18 smart schools investment plan shall not require separate approval of the
19 commissioner unless it is part of a school construction project required
20 to be submitted for approval of the commissioner pursuant to section
21 four hundred eight of this chapter and/or subdivision six of section
22 thirty-six hundred two of this article. Any department, agency or public
23 authority shall provide the smart schools review board with any informa-
24 tion it requires to fulfill its duties pursuant to this subdivision.

25 (4) Any amendments or supplements to a smart school investment plan
26 must be submitted to the smart schools review board for approval, and
27 shall not take effect until such approval is granted.

1 c. Expenditure of money. (1) Smart schools grants. Each school
2 district which has an approved smart schools investment plan including a
3 smart schools project or projects shall be entitled to a grant or grants
4 for the smart schools project or projects included therein in an amount,
5 whether in the aggregate or otherwise, not to exceed the smart schools
6 allocation calculated for such school district. The amount of such allo-
7 cation not expended, disbursed or encumbered for any school year shall
8 be carried over for expenditure and disbursement to the next succeeding
9 school year. Expenditures from the smart schools allocation shall not be
10 eligible for aid under any other provision of this chapter.

11 (2) The amounts determined pursuant to this subdivision to be paid to
12 school districts shall be certified by the commissioner in accordance
13 with this subdivision. If, upon the option of a school district, a smart
14 schools investment plan directs that an amount be transferred or subal-
15 located to a department, agency, or public authority to be spent on
16 behalf of the school district, such amounts shall be transferred or
17 suballocated, consistent with such plan, upon the approval of the direc-
18 tor of the budget. The amounts of money so certified or made available
19 shall be paid by the comptroller in accordance with appropriations
20 therefor, provided, however, that the payment schedule set forth in
21 subdivision one of this section shall not apply to such payments. Such
22 payment shall fulfill any obligation of the state or the commissioner to
23 apportion funds pursuant to this subdivision, and whenever a school
24 district has been apportioned more money pursuant to this subdivision
25 than that to which it is entitled, the commissioner may deduct such
26 amount from the next apportionment to be made to such school district.

27 d. Consistency with federal tax law. All actions taken pursuant to
28 this subdivision shall be reviewed for consistency with provisions of

1 the federal internal revenue code and regulations thereunder, in accord-
2 ance with procedures established in connection with the issuance of any
3 tax exempt bonds pursuant to this subdivision, to preserve the tax
4 exempt status of such bonds.

5 e. Compliance with other law. Every recipient of funds to be made
6 available pursuant to this subdivision shall comply with all applicable
7 state, federal and local laws.

8 § 3. The state finance law is amended by adding a new section 97-0000
9 to read as follows:

10 § 97-0000. Smart schools bond fund. 1. There is hereby established in
11 the joint custody of the state comptroller and the commissioner of taxa-
12 tion and finance a special fund to be known as the "smart schools bond
13 fund".

14 2. The state comptroller shall deposit into the smart schools bond
15 fund all moneys received by the state from the sale of bonds and/or
16 notes for uses eligible pursuant to section four of the smart schools
17 bond act of 2014.

18 3. Moneys in the smart schools bond fund, following appropriation by
19 the legislature and allocation by the director of the budget, shall be
20 available only for reimbursement of expenditures made from appropri-
21 ations from the capital projects fund for the purpose of the smart
22 schools bond fund, as set forth in the smart schools bond act of 2014.

23 4. No moneys received by the state from the sale of bonds and/or notes
24 sold pursuant to the smart schools bond act of 2014 shall be expended
25 for any project until funds therefor have been allocated pursuant to the
26 provisions of this section and copies of the appropriate certificates of
27 approval filed with the chair of the senate finance committee, the chair
28 of the assembly ways and means committee and the state comptroller.

1 § 4. Section 61 of the state finance law is amended by adding a new
2 subdivision 31 to read as follows:

3 SMART SCHOOLS PROJECTS

4 31. Thirty years. For the payment of smart schools projects, including
5 but not limited to pre-kindergarten projects, community connectivity
6 projects, and classroom technology projects, all as defined in subdivi-
7 sion sixteen of section thirty-six hundred forty-one of the education
8 law and undertaken pursuant to a chapter of the laws of two thousand
9 fourteen, enacting and constituting the smart schools bond act of 2014.
10 Thirty years for pre-kindergarten projects, twenty years for community
11 connectivity projects, and eight years for classroom technology
12 projects. Notwithstanding the foregoing, for the purposes of calculating
13 annual debt service, the state comptroller shall apply a weighted aver-
14 age period of probable life of such smart schools projects, including
15 with any other works or purposes to be financed with state debt. Weight-
16 ed average period of probable life shall be determined by computing the
17 sum of the products derived from multiplying the dollar value of the
18 portion of the debt contracted for each work or purpose (or class of
19 works or purposes) by the probable life of such work or purpose (or
20 class of works or purposes) and dividing the resulting sum by the dollar
21 value of the entire debt after taking into consideration any original
22 issue premium or discount.

23 § 5. If any clause, sentence, paragraph, section or part of this act
24 shall be adjudged by any court of competent jurisdiction to be invalid,
25 such judgment shall not affect, impair or invalidate the remainder ther-
26 eof, but shall be confined in its operation to the clause, sentence,
27 paragraph, section or part thereof directly involved in the controversy
28 in which such judgment shall have been rendered.

1 § 6. This act shall take effect only in the event that section 1 of
2 part B of a chapter of the laws of 2014, enacting the "smart schools
3 bond act of 2014," is submitted to the people at the general election to
4 be held in November 2014 and is approved by a majority of all votes cast
5 for and against it at such election. Upon such approval, this act shall
6 take effect immediately. Effective immediately, the addition, amendment,
7 and/or repeal of any rule or regulation necessary for the implementation
8 of the foregoing sections of this act are authorized and directed to be
9 made and completed on or before such effective date.

10

PART D

11 Section 1. Short title. This act shall be known and may be cited as
12 the "nurse practitioners modernization act".

13 § 2. Subdivision 3 of section 6902 of the education law, as added by
14 chapter 257 of the laws of 1988, is amended to read as follows:

15 3. (a) (i) The practice of registered professional nursing by a nurse
16 practitioner, certified under section six thousand nine hundred ten of
17 this article, may include the diagnosis of illness and physical condi-
18 tions and the performance of therapeutic and corrective measures within
19 a specialty area of practice, in collaboration with a licensed physician
20 qualified to collaborate in the specialty involved, provided such
21 services are performed in accordance with a written practice agreement
22 and written practice protocols except as permitted by paragraph (b) of
23 this subdivision. The written practice agreement shall include explicit
24 provisions for the resolution of any disagreement between the collab-
25 orating physician and the nurse practitioner regarding a matter of diag-
26 nosis or treatment that is within the scope of practice of both. To the

1 extent the practice agreement does not so provide, then the collaborat-
2 ing physician's diagnosis or treatment shall prevail.

3 [(b)] (ii) In the event that (A) an existing written practice agree-
4 ment with a collaborating physician terminates as a result of: the
5 collaborating physician moving, retiring, no longer needing the services
6 of the nurse practitioner, no longer being qualified to practice; or the
7 written practice agreement terminating due to no fault on the part of
8 the nurse practitioner; and (B) the nurse practitioner demonstrates that
9 he or she has made a good faith effort to enter into a new written prac-
10 tice agreement with a collaborating physician and has been unable to do
11 so, then upon approval by the department, such nurse practitioner may
12 continue to practice pursuant to this paragraph within a specialty area
13 of practice for a period of up to six months, in collaboration with a
14 nurse practitioner who has been certified under section six thousand
15 nine hundred ten of this article, who has been practicing for more than
16 three thousand six hundred hours and who is qualified to collaborate in
17 the specialty involved, provided that services are performed in accord-
18 ance with a written practice agreement and written practice protocols;
19 such six month time period for collaboration between nurse practitioners
20 may be extended for a period of time not to exceed an additional six
21 months upon a showing of good cause subject to the approval of the
22 department.

23 (iii) Prescriptions for drugs, devices and immunizing agents may be
24 issued by a nurse practitioner, under this [subdivision] paragraph and
25 section six thousand nine hundred ten of this article, in accordance
26 with the practice agreement and practice protocols except as permitted
27 by paragraph (b) of this subdivision. The nurse practitioner shall
28 obtain a certificate from the department upon successfully completing a

1 program including an appropriate pharmacology component, or its equiv-
2 alent, as established by the commissioner's regulations, prior to
3 prescribing under this [subdivision] paragraph. The certificate issued
4 under section six thousand nine hundred ten of this article shall state
5 whether the nurse practitioner has successfully completed such a program
6 or equivalent and is authorized to prescribe under this [subdivision]
7 paragraph.

8 [(c)] (iv) Each practice agreement shall provide for patient records
9 review by the collaborating physician or, where applicable, the collab-
10 orating nurse practitioner, in a timely fashion but in no event less
11 often than every three months. The names of the nurse practitioner and
12 the collaborating physician or, where applicable, the collaborating
13 nurse practitioner shall be clearly posted in the practice setting of
14 the nurse practitioner.

15 [(d)] (v) The practice protocol shall reflect current accepted medical
16 and nursing practice, or for collaborations with another nurse practi-
17 tioner pursuant to subparagraph (ii) of this paragraph, the current
18 accepted nursing practice. The protocols shall be filed with the
19 department within ninety days of the commencement of the practice and
20 may be updated periodically. The commissioner shall make regulations
21 establishing the procedure for the review of protocols and the disposi-
22 tion of any issues arising from such review.

23 [(e)] (vi) No physician or, where applicable, nurse practitioner,
24 shall enter into practice agreements with more than four nurse practi-
25 tioners who are not located on the same physical premises as the collab-
26 orating physician or collaborating nurse practitioner.

27 [(f)] (b) Notwithstanding subparagraph (i) of paragraph (a) of this
28 subdivision, a nurse practitioner, certified under section sixty-nine

1 hundred ten of this article and practicing for more than three thousand
2 six hundred hours may comply with this paragraph in lieu of complying
3 with the requirements of paragraph (a) of this subdivision relating to
4 collaboration with a physician, a written practice agreement and written
5 practice protocols. A nurse practitioner complying with this paragraph
6 shall have collaborative relationships with one or more licensed physi-
7 cians qualified to collaborate in the specialty involved or a hospital,
8 licensed under article twenty-eight of the public health law, that
9 provides services through licensed physicians qualified to collaborate
10 in the specialty involved and having privileges at such institution. The
11 nurse practitioner shall document such collaborative relationships in a
12 manner required by the department, which identifies the name and medical
13 license number of each physician or hospital, as applicable, with whom
14 the nurse practitioner is collaborating, and the nurse practitioner
15 attests that the physician or hospital is aware of and has agreed to
16 maintain a collaborative relationship with the nurse practitioner.

17 (c) Nothing in this subdivision shall be deemed to limit or diminish
18 the practice of the profession of nursing as a registered professional
19 nurse under this article or any other law, rule, regulation or certif-
20 ication, nor to deny any registered professional nurse the right to do
21 any act or engage in any practice authorized by this article or any
22 other law, rule, regulation or certification.

23 [(g)] (d) The provisions of this subdivision shall not apply to any
24 activity authorized, pursuant to statute, rule or regulation, to be
25 performed by a registered professional nurse in a hospital as defined in
26 article twenty-eight of the public health law.

27 (e) In conjunction with and as a condition of each triennial registra-
28 tion, the department shall collect and a nurse practitioner shall

1 provide such information and documentation required by the department,
2 in consultation with the department of health, as necessary to enable
3 the department of health to evaluate access to needed services in this
4 state, including but not limited to the location and type of setting
5 wherein the nurse practitioner practices; if the nurse practitioner has
6 practiced for fewer than three thousand six hundred hours and is prac-
7 ticing pursuant to a written practice agreement with a physician; if the
8 nurse practitioner practices pursuant to a written practice agreement
9 with a nurse practitioner for six months and if the written practice
10 agreement has been extended for an additional six months upon a showing
11 of good cause subject to the approval of the department; if the nurse
12 practitioner practices pursuant to collaborative relationships with a
13 physician or hospital; and other information the department, in consul-
14 tation with the department of health, deems relevant.

15 § 3. This act shall take effect on the first of January after it shall
16 have become a law; provided, however, that effective immediately, the
17 addition, amendment and/or repeal of any rule or regulation necessary
18 for the implementation of this act on its effective date is authorized
19 and directed to be made and completed on or before such effective date.

20 PART E

21 Section 1. Section 11 of the education law is amended by adding a new
22 subdivision 9 to read as follows:

23 9. "Pattern of harassment, bullying or discrimination" shall mean
24 multiple incidents of harassment, bullying or discrimination involving
25 one or more known or unknown perpetrators against a particular class or
26 classes of persons based on their actual or perceived race, color,

1 weight, national origin, ethnic group, religion, religious practice,
2 disability, sexual orientation, gender or sex.

3 § 2. Paragraph d of subdivision 1 of section 13 of the education law,
4 as added by chapter 102 of the laws of 2012, is amended to read as
5 follows:

6 d. require the principal, superintendent or the principal's or super-
7 intendent's designee to lead or supervise the thorough investigation of
8 all reports of harassment, bullying and discrimination, and to ensure
9 that such investigation is completed promptly after receipt of any writ-
10 ten reports made under this section. If the principal or superintendent
11 designates an individual to lead and supervise such investigation and
12 the investigation reveals verified harassment, bullying or discrimi-
13 nation, the principal's or superintendent's designee shall promptly
14 forward any determinations of verified harassment, bullying or discrimi-
15 nation directly to the principal or superintendent, or both, as deter-
16 mined by the school district;

17 § 3. Paragraphs e, f, g, h, i, j, k and l of subdivision 1 of section
18 13 of the education law are relettered paragraphs g, h, i, j, k, l, m
19 and n and two new paragraphs e and f are added to read as follows:

20 e. require, as part of the investigation undertaken pursuant to para-
21 graph d of this subdivision, the principal, superintendent or the prin-
22 cipal's or superintendent's designee to also investigate and determine
23 if each verified incident is part of a pattern of harassment, bullying
24 or discrimination. If the principal or superintendent designates an
25 individual to lead and supervise such investigation, the principal's or
26 superintendent's designee shall promptly forward any such determi-
27 nations, whether or not they find a pattern of harassment, bullying or
28 discrimination, directly to the principal or superintendent, or both, as

1 determined by the school district; such official or officials, in turn,
2 shall promptly undertake an independent review of each determination to
3 determine if the verified incident is part of such a pattern of harass-
4 ment, bullying or discrimination;

5 f. require the principal or superintendent to promptly report to the
6 commissioner, the division of human rights and the division of state
7 police, (i) any investigation where a determination is made by either
8 the principal, superintendent or the principal's or superintendent's
9 designee that a verified incident of harassment, bullying or discrimi-
10 nation is part of a pattern of harassment, bullying or discrimination
11 and (ii) any pattern of harassment, bullying or discrimination of which
12 they otherwise become aware. School districts shall ensure that they
13 have adequate policies and procedures in place to ensure that these
14 patterns are reported promptly;

15 § 4. Section 14 of the education law is amended by adding two new
16 subdivisions 6 and 7 to read as follows:

17 6. When the commissioner receives a report from a principal or super-
18 intendent of a pattern of harassment, bullying or discrimination, the
19 commissioner shall develop, and the school district shall implement,
20 intervention protocols reasonably calculated to end the harassment,
21 bullying or discrimination, eliminate any hostile environment, create a
22 more positive school culture and climate, prevent recurrence of the
23 behavior, and ensure the safety of the student or students against whom
24 such harassment, bullying or discrimination was directed. The department
25 shall evaluate the district's implementation of such protocols within
26 six months after such protocols are received by the district.

27 7. If the commissioner receives or acquires substantial evidence from
28 any source that a school principal or superintendent has failed to

1 fulfill his or her duties under this article or has failed to report a
2 pattern of harassment, bullying or discrimination as defined in section
3 eleven of this article, of which the principal or superintendent knew or
4 should have known, the commissioner shall initiate a removal proceeding
5 pursuant to subdivision one of section three hundred six of this title.
6 For the purposes of this subdivision only, a principal shall be deemed a
7 school officer.

8 § 5. Section 297 of the executive law is amended by adding a new
9 subdivision 11 to read as follows:

10 11. The division shall promptly report to the commissioner of educa-
11 tion information regarding any complaints of discrimination against
12 students in a public school, brought pursuant to subdivision four of
13 section two hundred ninety-six of this article, where a determination of
14 probable cause has been issued by the division. Such information may be
15 used by the commissioner of education to determine whether a school
16 principal or superintendent has failed to report a pattern of harass-
17 ment, bullying or discrimination in violation of article two of the
18 education law.

19 § 6. This act shall take effect on the ninetieth day after it shall
20 have become a law, provided that authority of the commissioner of educa-
21 tion and the division of human rights to promulgate any regulations
22 necessary to implement this act shall take effect immediately.

23 PART F

24 Section 1. Section 292 of the executive law is amended by adding a new
25 subdivision 35 to read as follows:

1 35. The term "educational institution", when used in this article,
2 shall mean:

3 (a) any education corporation or association which holds itself out to
4 the public to be non-sectarian and exempt from taxation pursuant to the
5 provisions of article four of the real property tax law; or

6 (b) any public school, including any school district, board of cooper-
7 ative educational services, public college, or public university.

8 § 2. Subdivision 4 of section 296 of the executive law, as amended by
9 chapter 106 of the laws of 2003, is amended to read as follows:

10 4. It shall be an unlawful discriminatory practice for an [education
11 corporation or association which holds itself out to the public to be
12 non-sectarian and exempt from taxation pursuant to the provisions of
13 article four of the real property tax law] educational institution to
14 deny the use of its facilities to any person otherwise qualified, or to
15 permit the harassment of any student or applicant, by reason of his
16 race, color, religion, disability, national origin, sexual orientation,
17 military status, sex, age or marital status, except that any such insti-
18 tution which establishes or maintains a policy of educating persons of
19 one sex exclusively may admit students of only one sex.

20 § 3. This act shall take effect immediately.

21 PART G

22 Section 1. The education law is amended by adding a new section 669-e
23 to read as follows:

24 § 669-e. New York state science, technology, engineering and mathemat-
25 ics incentive program. 1. Undergraduate students who are matriculated in
26 an approved undergraduate program leading to a career in science, tech-

1 nology, engineering or mathematics at a New York state public institu-
2 tion of higher education shall be eligible for an award under this
3 section, provided the applicant: (a) graduates from a high school
4 located in New York state during or after the two thousand thirteen--
5 fourteen school year; and (b) graduates within the top ten percent of
6 his or her high school class; and (c) enrolls in full-time study each
7 academic year beginning in the fall term after his or her high school
8 graduation in an approved undergraduate program in science, technology,
9 engineering or mathematics, as defined by the corporation, at a New York
10 state public institution of higher education; and (d) signs a contract
11 with the corporation agreeing that his or her award will be converted to
12 a student loan in the event the student fails to comply with the terms
13 of this program as set forth in subdivision four of this section; and
14 (e) complies with the applicable provisions of this article and all
15 requirements promulgated by the corporation for the administration of
16 the program.

17 2. Awards shall be granted beginning with the two thousand fourteen--
18 two thousand fifteen academic year and thereafter to applicants that the
19 corporation has determined are eligible to receive such awards. The
20 corporation shall grant such awards in an amount equal to the amount of
21 undergraduate tuition for residents of New York state charged by the
22 state university of New York or actual tuition charged, whichever is
23 less; provided, however, (i) a student who receives educational grants
24 and/or scholarships that cover the student's full cost of attendance
25 shall not be eligible for an award under this program; (ii) for a
26 student who receives educational grants and/or scholarships that cover
27 less than the student's full cost of attendance, such grants and/or
28 scholarships shall not be deemed duplicative of this program and may be

1 held concurrently with an award under this program, provided that the
2 combined benefits do not exceed the student's full cost of attendance;
3 and (iii) an award under this program shall be applied to tuition after
4 the application of all other educational grants and scholarships limited
5 to tuition and shall be reduced in an amount equal to such educational
6 grants and/or scholarships. Upon notification of an award under this
7 program, the institution shall defer the amount of tuition equal to the
8 award. No award shall be final until the recipient's successful
9 completion of a term has been certified by the institution.

10 3. An eligible recipient shall not receive an award for more than four
11 academic years of full-time undergraduate study or five academic years
12 if the program of study normally requires five years, excluding any
13 allowable interruption of study.

14 4. The corporation shall convert to a student loan the full amount of
15 the award given pursuant to this section, plus interest, according to a
16 schedule to be determined by the corporation if: (a) a recipient fails
17 to complete an approved undergraduate program in science, technology,
18 engineering or mathematics or changes majors to a program of undergradu-
19 ate study other than in science, technology, engineering or mathematics;
20 or (b) upon completion of such undergraduate degree program a recipient
21 fails to either (i) complete five years of employment in the science,
22 technology, engineering or mathematics field with a public or private
23 entity located within New York state, or (ii) maintain residency in New
24 York state for such period of employment; or (c) a recipient fails to
25 respond to requests by the corporation for the status of his or her
26 academic or professional progress. The terms and conditions of this
27 subdivision shall be deferred for individuals who graduate with a degree
28 in an approved undergraduate program in science, technology, engineering

1 or mathematics and continue their education on at least a half-time
2 basis in a graduate or higher degree program or other professional
3 licensure degree program until they are conferred a degree, and shall
4 also be deferred for any interruption in undergraduate study or employ-
5 ment as established by the rules and regulations of the corporation.
6 The terms and conditions of this subdivision may also be deferred for a
7 grace period, to be established by the corporation, following the
8 completion of an approved undergraduate program in science, technology,
9 engineering or mathematics. Any obligation to comply with such
10 provisions as outlined in this section shall be cancelled upon the death
11 of the recipient. Notwithstanding any provisions of this subdivision to
12 the contrary, the corporation is authorized to promulgate rules and
13 regulations to provide for the waiver or suspension of any financial
14 obligation which would involve extreme hardship.

15 5. The corporation is authorized to promulgate rules and regulations,
16 and may promulgate emergency regulations, necessary for the implementa-
17 tion of the provisions of this section, including, but not limited to,
18 the rate of interest charged for repayment of the student loan.

19 § 2. This act shall take effect immediately and shall be deemed to
20 have been in full force and effect on and after April 1, 2014.

21 PART H

22 Section 1. Paragraph (a) of subdivision 1 of section 1 of part U of
23 chapter 57 of the laws of 2005 amending the labor law and other laws
24 implementing the state fiscal plan for the 2005-2006 state fiscal year,
25 relating to the New York state higher education capital matching grant

1 program for independent colleges, as amended by section 1 of part C of
2 chapter 57 of the laws of 2013, is amended to read as follows:

3 (a) The New York state higher education capital matching grant board
4 is hereby created to have and exercise the powers, duties and preroga-
5 tives provided by the provisions of this section and any other provision
6 of law. The board shall remain in existence during the period of the New
7 York state higher education capital matching grant program from the
8 effective date of this section through March 31, [2014] 2017, or the
9 date on which the last of the funds available for grants under this
10 section shall have been disbursed, whichever is earlier; provided,
11 however, that the termination of the existence of the board shall not
12 affect the power and authority of the dormitory authority to perform its
13 obligations with respect to any bonds, notes, or other indebtedness
14 issued or incurred pursuant to authority granted in this section.

15 § 2. Paragraph (h) of subdivision 4 of section 1 of part U of chapter
16 57 of the laws of 2005 amending the labor law and other laws implement-
17 ing the state fiscal plan for the 2005-2006 state fiscal year, relating
18 to the New York state higher education capital matching grant program
19 for independent colleges, as amended by section 2 of part C of chapter
20 57 of the laws of 2013, is amended to read as follows:

21 (h) In the event that any colleges do not apply for higher education
22 capital matching grants by March 31, 2009, or in the event they apply
23 for and are awarded, but do not use the full amount of such grants, the
24 unused funds associated with such grants shall thereafter be awarded to
25 colleges on a competitive basis, according to the priorities set forth
26 below. Notwithstanding subdivision five of this section, any college
27 shall be eligible to apply for such unused funds in response to a
28 request for proposals for a higher education capital matching grant

1 pursuant to this paragraph. In such cases, the following priorities
2 shall apply: first, priority shall be given to otherwise eligible
3 colleges that either were, or would have been, deemed ineligible for the
4 program prior to March 31, 2009, due to missed deadlines, insufficient
5 matching funds, lack of accreditation or other disqualifying reasons;
6 and second, after the board has acted upon all such first-priority
7 applications for unused funds, if any such funds remain, those funds
8 shall be available for distribution to eligible colleges. The dormitory
9 authority shall develop a request for proposals and application process,
10 in consultation with the board, for higher education capital matching
11 grants awarded pursuant to this paragraph, and shall develop criteria,
12 subject to review by the board, for the awarding of such grants. Such
13 criteria shall include, but not be limited to the matching criteria
14 contained in paragraph (c) of this subdivision, and the application
15 criteria set forth in paragraph (e) of this subdivision. The dormitory
16 authority shall require all applications in response to the request for
17 proposals to be submitted by September 1, [2013] 2014, and the board
18 shall act on each application for such matching grants by November 1,
19 [2013] 2014.

20 § 3. Subclause (A) of clause (ii) of paragraph (j) of subdivision 4 of
21 section 1 of part U of chapter 57 of the laws of 2005 amending the labor
22 law and other laws implementing the state fiscal plan for the 2005-2006
23 state fiscal year, relating to the New York state higher education capi-
24 tal matching grant program for independent colleges, as amended by
25 section 3 of part C of chapter 57 of the laws of 2013, is amended to
26 read as follows:

27 (A) Notwithstanding the provision of any general or special law to the
28 contrary, and subject to the provisions of chapter 59 of the laws of

1 2000 and to the making of annual appropriations therefor by the legisla-
2 ture, in order to assist the dormitory authority in providing such high-
3 er education capital matching grants, the director of the budget is
4 authorized in any state fiscal year commencing April 1, 2005 or any
5 state fiscal year thereafter for a period ending on March 31, [2015,]
6 2017, to enter into one or more service contracts, none of which shall
7 exceed 30 years in duration, with the dormitory authority, upon such
8 terms as the director of the budget and the dormitory authority agree.

9 § 4. Paragraph (b) of subdivision 7 of section 1 of part U of chapter
10 57 of the laws of 2005 amending the labor law and other laws implement-
11 ing the state fiscal plan for the 2005-2006 state fiscal year, relating
12 to the New York state higher education matching capital grant program
13 for independent colleges, as amended by section 4 of part C of chapter
14 57 of the laws of 2013, is amended to read as follows:

15 (b) Any eligible institution receiving a grant pursuant to this arti-
16 cle shall report to the dormitory authority no later than June 1, [2014]
17 2018, on the use of funding received and its programmatic and economic
18 impact. The dormitory authority shall submit a report no later than
19 November 1, [2014] 2018 to [the board,] the governor, the director of
20 the budget, the temporary president of the senate, and the speaker of
21 the assembly on the aggregate impact of the higher education matching
22 capital grant program. Such report shall provide information on the
23 progress and economic impact of such project.

24 § 5. This act shall take effect immediately and shall be deemed to
25 have been in full force and effect on and after April 1, 2014.

1 Section 1. Paragraphs (a), (b), (c) and (d) of subdivision 1 of
2 section 131-o of the social services law, as amended by section 1 of
3 part E of chapter 57 of the laws of 2013, are amended to read as
4 follows:

5 (a) in the case of each individual receiving family care, an amount
6 equal to at least [~~\$137.00~~] \$139.00 for each month beginning on or after
7 January first, two thousand [~~thirteen~~] fourteen.

8 (b) in the case of each individual receiving residential care, an
9 amount equal to at least [~~\$158.00~~] \$160.00 for each month beginning on
10 or after January first, two thousand [~~thirteen~~] fourteen.

11 (c) in the case of each individual receiving enhanced residential
12 care, an amount equal to at least [~~\$187.00~~] \$190.00 for each month
13 beginning on or after January first, two thousand [~~thirteen~~] fourteen.

14 (d) for the period commencing January first, two thousand [~~fourteen~~]
15 fifteen, the monthly personal needs allowance shall be an amount equal
16 to the sum of the amounts set forth in subparagraphs one and two of this
17 paragraph:

18 (1) the amounts specified in paragraphs (a), (b) and (c) of this
19 subdivision; and

20 (2) the amount in subparagraph one of this paragraph, multiplied by
21 the percentage of any federal supplemental security income cost of
22 living adjustment which becomes effective on or after January first, two
23 thousand [~~fourteen~~] fifteen, but prior to June thirtieth, two thousand
24 [~~fourteen~~] fifteen, rounded to the nearest whole dollar.

25 § 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of
26 section 209 of the social services law, as amended by section 2 of part
27 E of chapter 57 of the laws of 2013, are amended to read as follows:

1 (a) On and after January first, two thousand [thirteen] fourteen, for
2 an eligible individual living alone, [\$797.00] \$808.00; and for an
3 eligible couple living alone, [\$1170.00] \$1186.00.

4 (b) On and after January first, two thousand [thirteen] fourteen, for
5 an eligible individual living with others with or without in-kind
6 income, [\$733.00] \$744.00; and for an eligible couple living with others
7 with or without in-kind income, [\$1112.00] \$1128.00.

8 (c) On and after January first, two thousand [thirteen] fourteen, (i)
9 for an eligible individual receiving family care, [\$976.48] \$987.48 if
10 he or she is receiving such care in the city of New York or the county
11 of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible
12 couple receiving family care in the city of New York or the county of
13 Nassau, Suffolk, Westchester or Rockland, two times the amount set forth
14 in subparagraph (i) of this paragraph; or (iii) for an eligible individ-
15 ual receiving such care in any other county in the state, [\$938.48]
16 \$949.48; and (iv) for an eligible couple receiving such care in any
17 other county in the state, two times the amount set forth in subpara-
18 graph (iii) of this paragraph.

19 (d) On and after January first, two thousand [thirteen] fourteen, (i)
20 for an eligible individual receiving residential care, [\$1145.00]
21 \$1156.00 if he or she is receiving such care in the city of New York or
22 the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an
23 eligible couple receiving residential care in the city of New York or
24 the county of Nassau, Suffolk, Westchester or Rockland, two times the
25 amount set forth in subparagraph (i) of this paragraph; or (iii) for an
26 eligible individual receiving such care in any other county in the
27 state, [\$1115.00] \$1126.00; and (iv) for an eligible couple receiving

1 such care in any other county in the state, two times the amount set
2 forth in subparagraph (iii) of this paragraph.

3 (e) (i) On and after January first, two thousand [thirteen] fourteen,
4 for an eligible individual receiving enhanced residential care,
5 [~~\$1404.00~~] \$1415.00; and (ii) for an eligible couple receiving enhanced
6 residential care, two times the amount set forth in subparagraph (i) of
7 this paragraph.

8 (f) The amounts set forth in paragraphs (a) through (e) of this subdi-
9 vision shall be increased to reflect any increases in federal supple-
10 mental security income benefits for individuals or couples which become
11 effective on or after January first, two thousand [fourteen] fifteen but
12 prior to June thirtieth, two thousand [fourteen] fifteen.

13 § 3. This act shall take effect December 31, 2014.

14 PART J

15 Section 1. The opening paragraph of section 21-a of the social
16 services law, as added by section 144-a of part B of chapter 436 of the
17 laws of 1997, is amended to read as follows:

18 Any electronic benefit transfer system shall be implemented by the
19 department on a statewide basis and shall be administered pursuant to
20 the provisions of this section. For purposes of such electronic benefit
21 transfer system, the term "electronic benefit transfer" includes the use
22 of a credit or debit card service, automated teller machine, point-of-
23 sale terminal, or access to an online system for the withdrawal of funds
24 or the processing of a payment for merchandise or a service.

25 § 2. The social services law is amended by adding a new section 145-d
26 to read as follows:

1 § 145-d. Sanctions and penalties for the unauthorized use of public
2 assistance. 1. It shall be an unauthorized use of public assistance for
3 any recipient thereof to access public assistance by means of an elec-
4 tronic benefit transfer in: (i) any establishment that is licensed to
5 sell liquor and/or wine at retail for off-premises consumption; (ii) any
6 establishment that is licensed to sell beer at wholesale and also
7 authorized to sell beer at retail for off-premises consumption; (iii)
8 any casino, gambling casino or gaming establishment, except as provided
9 for in subdivision two of section one hundred fifty-one of this title;
10 or (iv) any establishment that provides adult-oriented entertainment in
11 which performers disrobe or perform in an unclothed state for enter-
12 tainment. For purposes of this section, "gaming establishment" shall
13 mean any video lottery facility, off-track betting branch office, simul-
14 cast facility, licensed commercial charitable gaming facility, or any
15 pari-mutuel race track area at which wagers may be accepted but shall
16 not include any area that does not accept wagers and is not open to the
17 public or to unauthorized personnel, such as non-wagering areas of the
18 backstretch.

19 2. Any person who, individually or as a member of a family, is found
20 by a federal, state, local, criminal, civil or other court or pursuant
21 to an administrative hearing held in accordance with the regulations of
22 the department, on the basis of a plea of guilty or nolo contendere or
23 otherwise, to have accessed public assistance by means of an electronic
24 benefit transfer in an unauthorized location as set forth in subdivision
25 one of this section, shall not have his or her needs taken into account
26 in determining his or her need or that of his or her family pursuant to
27 section one hundred thirty-one-a of this title: (i) for a period of one
28 month for the first offense; (ii) for a period of two months for the

1 second offense; (iii) for a period of three months for the third
2 offense; and (iv) for a period of six months for any subsequent offense.
3 These sanctions shall be in addition to and not in substitution of any
4 other sanctions or penalties that may be provided for by law with
5 respect to the unauthorized use involved, except that the social
6 services official or court official assessing sanctions or penalties
7 against a recipient for an unauthorized use as described in subdivision
8 one of this section may consider whether to impose such other sanctions
9 or penalties based upon the existence of the sanctions described in this
10 subdivision.

11 § 3. Section 151 of the social services law, as added by chapter 570
12 of the laws of 1951, is amended to read as follows:

13 § 151. [Penalty] Penalties for cashing public assistance checks or
14 accepting electronic benefit transfers from public assistance
15 recipients. [No] 1. Unauthorized transactions. Except as otherwise
16 provided in subdivision two of this section, no person, firm, establish-
17 ment, entity, or corporation (a) licensed under the [provision]
18 provisions of the alcoholic beverage control law to sell liquor and/or
19 wine at retail for off-premises consumption; (b) licensed to sell beer
20 at wholesale and also authorized to sell beer at retail for off-premises
21 consumption; (c) licensed or authorized to conduct pari-mutuel wagering
22 activity under the racing, pari-mutuel wagering and breeding law; (d)
23 licensed to participate in charitable gaming under article fourteen-H of
24 the general municipal law; (e) licensed to participate in the operation
25 of a video lottery facility under section one thousand six hundred
26 seventeen-a of the tax law; (f) licensed to operate a gaming facility
27 under section one thousand three hundred eleven of the racing, pari-mu-
28 tuel wagering and breeding law; or (g) providing adult-oriented enter-

1 tainment in which performers disrobe or perform in an unclothed state
2 for entertainment, or making available the venue in which performers
3 disrobe or perform in an unclothed state for entertainment, shall cash
4 or accept[, for any purpose whatsoever,] for unauthorized transactions
5 as set forth in subdivision one of section one hundred forty-five-d of
6 this article, any public assistance check or electronic benefit transfer
7 device issued by a public welfare official or department, or agent ther-
8 eof, as and for public assistance.

9 2. Authorized transactions. (a) A grocery store that sells groceries
10 including staple foods and that also offers, or is located within the
11 same building or complex as, a casino, gambling casino, or gaming estab-
12 lishment; and any area of a pari-mutuel race track that does not accept
13 wagers and is not open to the public or to unauthorized personnel, such
14 as non-wagering areas of the backstretch, may accept any public assist-
15 ance check or electronic benefit transfer issued by a public welfare
16 official or department, or agent thereof. For purposes of this para-
17 graph, "gaming establishment" shall mean any video lottery facility,
18 off-track betting branch office, simulcast facility, licensed commercial
19 charitable gaming facility, or any pari-mutuel race track.

20 (b) Any establishment that offers gambling incidental to the principal
21 purpose of the business at such location may accept any public assist-
22 ance check or electronic benefit transfer device issued by a public
23 welfare official or department, or agent thereof.

24 3. Penalties. (a) A violation of the provisions of subdivision one of
25 this section [for the first offense shall be punishable by a fine not to
26 exceed fifty dollars. A second offense] taking place at the licensed
27 premises by a person, corporation or entity licensed under the alcoholic
28 beverage control law: (i) to sell liquor and/or wine at retail for off-

1 premises consumption; (ii) to sell beer at wholesale and also authorized
2 to sell beer at retail for off-premises consumption; or (iii) to sell
3 liquor, wine and/or beer for on-premises consumption at an establishment
4 where entertainers appear unclothed as permitted by the rules of the
5 state liquor authority, shall constitute [sufficient] cause, for the
6 purposes of section one hundred eighteen of the alcoholic beverage
7 control law, for the revocation, cancellation or suspension of such
8 license [issued pursuant to the alcoholic beverage control law].

9 (b) A violation of the provisions of subdivision one of this section
10 by any person, corporation or entity licensed to operate a gaming facil-
11 ity under section one thousand three hundred eleven of the racing, pari-
12 mutuel wagering and breeding law; licensed under section one thousand
13 six hundred seventeen-a of the tax law to participate in the operation
14 of a video lottery facility; licensed or authorized to conduct pari-mu-
15 tuel wagering under the racing, pari-mutuel wagering and breeding law;
16 or licensed to participate in charitable gaming under article fourteen-H
17 of the general municipal law, shall subject such person, corporation or
18 entity to disciplinary action pursuant to section one hundred four of
19 the racing, pari-mutuel wagering and breeding law and section one thou-
20 sand six hundred seven of the tax law, which may include revocation,
21 cancellation or suspension of such license or authorization.

22 (c) A violation of the provisions of subdivision one of this section
23 by any person, firm, establishment, entity or corporation providing
24 adult-oriented entertainment in which performers disrobe or perform in
25 an unclothed state for entertainment, or making available the venue in
26 which performers disrobe or perform in an unclothed state for enter-
27 tainment, shall be a violation, as defined in subdivision three of
28 section 10.00 of the penal law, subject to a fine of not more than one

1 hundred dollars, a second such violation shall be a violation subject to
2 a fine of not more than five hundred dollars, and a third such violation
3 shall be class B misdemeanor subject to a fine of not more than one
4 thousand dollars.

5 § 4. This act shall take effect on the sixtieth day after it shall
6 have become a law; provided, however, the New York state office of
7 temporary and disability assistance, the New York state liquor authori-
8 ty, and the New York state gaming commission shall be authorized to
9 promulgate regulations on an emergency basis and immediately take such
10 other actions as necessary to implement the provisions of this act.

11 PART K

12 Section 1. Notwithstanding any other provision of law, the housing
13 trust fund corporation (the corporation) may provide, for purposes of
14 the rural rental assistance program, a sum not to exceed twenty million
15 four hundred thousand dollars for the fiscal year ending March 31, 2015.
16 Notwithstanding any other provision of law, and provided that the
17 reserves in the project pool insurance account of the mortgage insurance
18 fund created pursuant to section 2429-b of the public authorities law
19 are sufficient to attain and maintain the credit rating (as determined
20 by the agency) required to accomplish the purposes of such account, the
21 board of directors of the state of New York mortgage agency shall
22 authorize the transfer from the project pool insurance account of the
23 mortgage insurance fund to the housing trust fund corporation (the
24 corporation), for the purposes of reimbursing any costs associated with
25 rural rental assistance program contracts authorized by this section, a
26 total sum not to exceed twenty million four hundred thousand dollars as

1 soon as practicable but no later than June 30, 2014. Notwithstanding any
2 other provision of law, all current and existing rural rental assistance
3 program contracts may be assigned to the corporation to administer as
4 soon as practicable. Notwithstanding any other provision of law, such
5 funds may be used by the corporation in support of contracts scheduled
6 to expire in 2014-15 for as many as 10 additional years; in support of
7 contracts for new eligible projects for a period not to exceed 5 years;
8 and in support of contracts which reach their 25 year maximum in and/or
9 prior to 2014-15 for an additional one year period.

10 § 2. Notwithstanding any other provision of law, the housing finance
11 agency may provide, for costs associated with the rehabilitation of
12 Mitchell Lama housing projects, a sum not to exceed thirty-two million
13 dollars for the fiscal year ending March 31, 2015. Notwithstanding any
14 other provision of law, and provided that the reserves in the project
15 pool insurance account of the mortgage insurance fund created pursuant
16 to section 2429-b of the public authorities law are sufficient to attain
17 and maintain the credit rating (as determined by the agency) required to
18 accomplish the purposes of such account, the board of directors of the
19 state of New York mortgage agency shall authorize the transfer from the
20 project pool insurance account of the mortgage insurance fund to the
21 housing finance agency, for the purposes of reimbursing any costs asso-
22 ciated with Mitchell Lama housing projects authorized by this section, a
23 total sum not to exceed thirty-two million dollars as soon as practica-
24 ble but no later than March 31, 2015.

25 § 3. Notwithstanding any other provision of law, the housing trust
26 fund corporation (the corporation) may provide, for purposes of the
27 neighborhood preservation program, a sum not to exceed eight million
28 four hundred seventy-nine thousand dollars for the fiscal year ending

1 March 31, 2015. Notwithstanding any other provision of law, and provided
2 that the reserves in the project pool insurance account of the mortgage
3 insurance fund created pursuant to section 2429-b of the public authori-
4 ties law are sufficient to attain and maintain the credit rating (as
5 determined by the agency) required to accomplish the purposes of such
6 account, the board of directors of the state of New York mortgage agency
7 shall authorize the transfer from the project pool insurance account of
8 the mortgage insurance fund to the housing trust fund corporation (the
9 corporation), for the purposes of reimbursing any costs associated with
10 neighborhood preservation program contracts authorized by this section,
11 a total sum not to exceed eight million four hundred seventy-nine thou-
12 sand dollars as soon as practicable but no later than June 30, 2014.

13 § 4. Notwithstanding any other provision of law, the housing trust
14 fund corporation (the corporation) may provide, for purposes of the
15 rural preservation program, a sum not to exceed three million five
16 hundred thirty-nine thousand dollars for the fiscal year ending March
17 31, 2015. Notwithstanding any other provision of law, and provided that
18 the reserves in the project pool insurance account of the mortgage
19 insurance fund created pursuant to section 2429-b of the public authori-
20 ties law are sufficient to attain and maintain the credit rating (as
21 determined by the agency) required to accomplish the purposes of such
22 account, the board of directors of the state of New York mortgage agency
23 shall authorize the transfer from the project pool insurance account of
24 the mortgage insurance fund to the housing trust fund corporation (the
25 corporation), for the purposes of reimbursing any costs associated with
26 rural preservation program contracts authorized by this section, a total
27 sum not to exceed three million five hundred thirty-nine thousand
28 dollars as soon as practicable but no later than June 30, 2014.

1 § 5. Notwithstanding any other provision of law, the housing trust
2 fund corporation (the corporation) may provide, for purposes of the
3 rural and urban community investment fund program created pursuant to
4 article XXVII of the private housing finance law, a sum not to exceed
5 six million seven hundred fifty thousand dollars for the fiscal year
6 ending March 31, 2015. Notwithstanding any other provision of law, and
7 provided that the reserves in the project pool insurance account of the
8 mortgage insurance fund created pursuant to section 2429-b of the public
9 authorities law are sufficient to attain and maintain the credit rating
10 (as determined by the agency) required to accomplish the purposes of
11 such account, the board of directors of the state of New York mortgage
12 agency shall authorize the transfer from the project pool insurance
13 account of the mortgage insurance fund to the housing trust fund corpo-
14 ration (the corporation), for the purposes of reimbursing any costs
15 associated with rural and urban community investment fund program
16 contracts authorized by this section, a total sum not to exceed six
17 million seven hundred fifty thousand dollars as soon as practicable but
18 not later than March 31, 2015.

19 § 6. Notwithstanding any other provision of law, the housing trust
20 fund corporation (the corporation) may provide, for the purposes of
21 carrying out the provisions of the low income housing trust fund program
22 created pursuant to article XVIII of the private housing finance law, a
23 sum not to exceed two million five hundred thousand dollars for the
24 fiscal year ending March 31, 2015. Notwithstanding any other provision
25 of law, and provided that reserves in the project pool insurance account
26 of the mortgage insurance fund created pursuant to section 2429-b of the
27 public authorities law are sufficient to attain and maintain the credit
28 rating (as determined by the agency) required to accomplish the purposes

1 of such account, the board of directors of the state of New York mort-
2 gage agency shall authorize the transfer from the project pool insurance
3 account of the mortgage insurance fund to the housing trust fund corpo-
4 ration (the corporation), for the purposes of carrying out the
5 provisions of the low income housing trust fund program created pursuant
6 to article XVIII of the private housing finance law authorized by this
7 section, a total sum not to exceed two million five hundred thousand
8 dollars as soon as practicable but no later than March 31, 2015.

9 § 7. Notwithstanding any other provision of law, the housing trust
10 fund corporation (the corporation) may provide, for purposes of the
11 homes for working families program for deposit in the housing trust fund
12 created pursuant to section 59-a of the private housing finance law and
13 subject to the provisions of article XVIII of the private housing
14 finance law, a sum not to exceed one million seven hundred fifty thou-
15 sand dollars for the fiscal year ending March 31, 2015. Notwithstanding
16 any other provision of law, and provided that the reserves in the
17 project pool insurance account of the mortgage insurance fund created
18 pursuant to section 2429-b of the public authorities law are sufficient
19 to attain and maintain the credit rating (as determined by the agency)
20 required to accomplish the purposes of such account, the board of direc-
21 tors of the state of New York mortgage agency shall authorize the trans-
22 fer from the project pool insurance account of the mortgage insurance
23 fund to the housing trust fund corporation (the corporation), for the
24 purposes of reimbursing any costs associated with homes for working
25 families program contracts authorized by this section, a total sum not
26 to exceed one million seven hundred fifty thousand dollars as soon as
27 practicable but no later than March 31, 2015.

28 § 8. This act shall take effect immediately.

1

PART L

2 Section 1. This act enacts into law major components of legislation
3 which are necessary to continue transforming New York's juvenile justice
4 system. Each component is wholly contained within a Subpart identified
5 as Subparts A through B. The effective date for each particular
6 provision contained within such Subpart is set forth in the last section
7 of such Subpart. Any provision in any section contained within a
8 Subpart, including the effective date of the Subpart, which makes refer-
9 ence to a section "of this act", when used in connection with that
10 particular component, shall be deemed to mean and refer to the corre-
11 sponding section of the Subpart in which it is found. Section three of
12 this act sets forth the general effective date of this act.

13

SUBPART A

14 Section 1. Subparagraph 8 of paragraph h of subdivision 4 of section
15 1950 of the education law, as added by section 1 of part K of chapter 57
16 of the laws of 2012, is amended to read as follows:

17 (8) To enter into contracts with the commissioner of the office of
18 children and family services pursuant to subdivision six-a of section
19 thirty-two hundred two of this chapter to provide to such office, for
20 the benefit of youth in its custody, any special education programs and
21 any other programs and related services provided by the board of cooper-
22 ative educational services to component school districts. Any such
23 proposed contract shall be subject to the review and approval of the
24 commissioner to determine that it is an approved cooperative educational
25 service. Services provided pursuant to such contracts shall be provided

1 at cost, and the board of cooperative educational services shall not be
2 authorized to charge any costs incurred in providing such services to
3 its component school districts.

4 § 2. Subdivision 6-a of section 3202 of the education law, as amended
5 by section 2 of part K of chapter 57 of the laws of 2012, is amended to
6 read as follows:

7 6-a. Notwithstanding subdivision six of this section or any other law
8 to the contrary, the commissioner of the office of children and family
9 services shall be responsible for the secular education of youth under
10 the jurisdiction of the office and may contract for such education with
11 the trustees or board of education of the school district wherein a
12 facility for the residential care of such youth is located or with the
13 board of cooperative educational services at which any such school
14 district is a component district [for special education programs and
15 related services]. A youth attending a local public school while in
16 residence at such facility shall be deemed a resident of the school
17 district where his parent or guardian resides at the commencement of
18 each school year for the purpose of determining which school district
19 shall be responsible for the youth's tuition pursuant to section five
20 hundred four of the executive law.

21 § 3. This act shall take effect immediately; provided that the amend-
22 ments to subparagraph 8 of paragraph h of subdivision 4 of section 1950
23 of the education law made by section one of this act shall not affect
24 the expiration and repeal of such subparagraph and shall expire and be
25 deemed repealed therewith pursuant to section 4 of part K of chapter 57
26 of the laws of 2012, and provided further, that the amendments to subdi-
27 vision 6-a of section 3202 of the education law made by section two of
28 this act shall be subject to the expiration and reversion of such subdi-

1 vision pursuant to section 4 of part K of chapter 57 of the laws of
2 2012.

3 SUBPART B

4 Section 1. Paragraph (a) of subdivision 7 of section 404 of the social
5 services law, as added by section 1 of subpart A of part G of chapter 57
6 of the laws of 2012, is amended to read as follows:

7 (a) Notwithstanding the provisions of paragraph (c) of subdivision
8 fifteen of section five hundred one of the executive law, or any other
9 law to the contrary, if the office of children and family services
10 approves a social services district's plan for a juvenile justice
11 services close to home initiative to implement services for juvenile
12 delinquents placed in non-secure or limited secure settings, such office
13 shall be authorized, for up to a year after the effective date of the
14 first of any such approved plan for a district to implement services for
15 each setting level, but in no event later than [September first, two
16 thousand fourteen] April thirtieth, two thousand fifteen: (1) to close
17 any of its facilities in the corresponding setting levels covered by the
18 approved plan and to make significant associated service reductions and
19 public employee staffing reductions and transfer operations for those
20 setting levels to a private or not-for-profit entity, as determined by
21 the commissioner of the office of children and family services solely to
22 reflect the decrease in the number of juvenile delinquents placed with
23 such office from such social services district; (2) to reduce costs to
24 the state and other social services districts resulting from such
25 decrease; and (3) to adjust services to provide regionally-based care to
26 juvenile delinquents from other parts of the state needing services in

1 those levels of residential services. At least sixty days prior to
2 taking any such action, the commissioner of the office shall provide
3 notice of such action to the speaker of the assembly and the temporary
4 president of the senate and shall post such notice upon its public
5 website. Such notice may be provided at any time on or after the date
6 the office approves a plan authorizing a social services district to
7 implement programs for juvenile delinquents placed in the applicable
8 setting level. Such commissioner shall be authorized to conduct any and
9 all preparatory actions which may be required to effectuate such
10 closures or significant service or staffing reductions and transfer of
11 operations during such sixty day period. In assessing which of such
12 facilities to close, or at which to implement any significant service
13 reductions, public employee staffing reductions and/or transfer of oper-
14 ations to a private or not-for-profit entity, the commissioner shall
15 consider the following factors: (1) ability to provide a safe, humane
16 and therapeutic environment for placed youth; (2) ability to meet the
17 educational, mental health, substance abuse and behavioral health treat-
18 ment needs of placed youth; (3) community networks and partnerships that
19 promote the social, mental, economic and behavioral development of
20 placed youth; (4) future capacity requirements for the effective opera-
21 tion of youth facilities; (5) the physical characteristics, conditions
22 and costs of operation of the facility; and (6) the location of the
23 facility in regards to costs and ease of transportation of placed youth
24 and their families.

25 § 2. This act shall take effect immediately; provided that the amend-
26 ments to paragraph (a) of subdivision 7 of section 404 of the social
27 services law made by section one of this act shall not affect the repeal

1 of such section and shall be deemed repealed therewith pursuant to
2 section 11 of subpart A of part G of chapter 57 of the laws of 2012.

3 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
4 sion, section or part of this act shall be adjudged by any court of
5 competent jurisdiction to be invalid, such judgment shall not affect,
6 impair, or invalidate the remainder thereof, but shall be confined in
7 its operation to the clause, sentence, paragraph, subdivision, section
8 or part thereof directly involved in the controversy in which such judg-
9 ment shall have been rendered. It is hereby declared to be the intent of
10 the legislature that this act would have been enacted even if such
11 invalid provisions had not been included herein.

12 § 3. This act shall take effect immediately, provided, however, that
13 the applicable effective date of Subparts A and B of this act shall be
14 as specifically set forth in the last section of such Subparts.

15 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
16 sion, section or part of this act shall be adjudged by any court of
17 competent jurisdiction to be invalid, such judgment shall not affect,
18 impair, or invalidate the remainder thereof, but shall be confined in
19 its operation to the clause, sentence, paragraph, subdivision, section
20 or part thereof directly involved in the controversy in which such judg-
21 ment shall have been rendered. It is hereby declared to be the intent of
22 the legislature that this act would have been enacted even if such
23 invalid provisions had not been included herein.

24 § 3. This act shall take effect immediately provided, however, that
25 the applicable effective date of Parts A through L of this act shall be
26 as specifically set forth in the last section of such Parts.