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S.  

Senate  

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IN SENATE--Introduced by Sen  

---

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

---  

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 excellence, calculation of the gap elimination restoration amount, apportionment 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 excellence 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 Griffin  
s52 Libous  
s61 Ranzenhofer  
s35 Stewart

s38 Carlucci  
s60 Grisanti  
s45 Little  
s48 Ritchie  
s14 Cousins

s50 DeFrancisco  
s06 Hannon  
s05 Marcellino  
s33 Rivera  
s46 Tkaczyk

s32 Diaz  
s36 Hassell-Young  
s43 Marchione  
s56 Robach  
s53 Valesky

s18 Dilan  

Thompson  
s07 Martins  
s19 Sampson  
s57 Young

s31 Espaillat  
s27 Hoylman  
s62 Maziarz  
s10 Sanders  
s03 Zelvin

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 Palmetto  
a099 Skoufis

a035 Aubry  
a004 Englebright  
a040 Kim  
a002 Palumbo  
a022 Solages

a120 Barclay  
a109 Fahy  
a131 Kolb  
a088 Paulin  
a114 Steck

a106 Barrett  
a071 Farrell  
a105 Lalor  
a141 Peoples-Steck  
a110 Steck

a082 Benedetto  
a126 Finch  
a013 Lavine  
Stokes  
a127 Styrup

a177 Blankenbush  
a088 Fitzpatrick  
a050 Lentol  
a058 Perry  
a111 Sweeney

a062 Borelli  
a124 Friend  
a125 Lifton  
a086 Pichardo  
a112 Tedisco

a055 Boyland  
a143 Gabrys  
a102 Lopez  
P,  
a089 Pretlow  
a101 Tenney

a026 Braunstein  
a095 Galef  
a123 Lupardo  
a073 Quarty  
a001 Thiele

a044 Brennan  
a137 Gantt  
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a119 Brindisi  
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a103 Cahill  
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a070 Wright

a043 Camara  
a075 Gottfried  
a014 McDonough  
a072 Rosa  
a096 Zebrowski

a145 Ceretto  
a005 Graf  
a017 McKevitt  
a067 Rosenthal  
a054

a033 Clark  
a100 Gunther  
a107 McLaughlin  
a025 Rocic  
a059

a047 Colton  
a133 Hawley  
a038 Miller  
a116 Russell  
a060

a032 Cook  
a083 Heathie  
a052 Millman  
a149 Ryan  
a077

a144 Corwin  
a003 Hennessey  
a015 Montesano  
a009 Saland  
a079

a085 Crespo  
a028 Hevesi  
a136 Morelle  
a111 Santabarbara  
a098

a122 Crouch  
a048 Hikind  
a057 Mosley  
a029 Scarborough  
a113

a021 Curran  
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a039 Moya  
a016 Schimel  
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a063 Cusick  
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a133 Nojai  
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a045 Cymbrowitz  
a097 Jaffee  
a037 Nolan  
a087 Sepulveda  

a053 Davila  
a135 Johns  
a130 Oaks  
a065 Silver  
a034

a034 DenDekker  
a094 Katz  
a069 O'Donnell  
a027 Sunanowitz

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).

LBDC 01/14/14
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:
Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2014-2015 state fiscal year. Each component is wholly contained within a Part identified as Parts A through L. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

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

e. Notwithstanding paragraphs a and b of this subdivision, a school district that submitted a contract for excellence for the two thousand eight-two thousand nine school year shall submit a contract for excellence for the two thousand nine-two thousand ten school year in conformity with the requirements of subparagraph (vi) of paragraph a of subdivision two of this section unless all schools in the district are identified as in good standing and provided further that, a school district that submitted a contract for excellence for the two thousand nine-two thousand ten school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand eleven-two thousand twelve school year which
shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the product of the amount approved by the commissioner in the contract for excellence for the two thousand nine--two thousand ten school year, multiplied by the district's gap elimination adjustment percentage and provided further that, a school district that submitted a contract for excellence for the two thousand eleven--two thousand twelve school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand twelve--two thousand thirteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand eleven--two thousand twelve school year and provided further that, a school district that submitted a contract for excellence for the two thousand twelve--two thousand thirteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand thirteen--two thousand fourteen school year which shall, notwithstanding the requirements of subparagraph (vi) of paragraph a of subdivision two of this section, provide for the expenditure of an amount which shall be not less than the amount approved by the commissioner in the contract for excellence for the two thousand twelve--two thousand thirteen school year and provided further that, a school district that submitted a contract for excellence for the two thousand thirteen--two thousand fourteen school year, unless all schools in the district are identified as in good standing, shall submit a contract for excellence for the two thousand fourteen--two thousand fifteen school year.
thousand fourteen--two thousand fifteen school year which shall,
notwithstanding the requirements of subparagraph (vi) of paragraph a of
subdivision two of this section, provide for the expenditure of an
amount which shall be not less than the amount approved by the commis-
sioner in the contract for excellence for the two thousand thirteen--two
thousand fourteen school year. For purposes of this paragraph, the "gap
elimination adjustment percentage" shall be calculated as the sum of one
minus the quotient of the sum of the school district's net gap elimi-
nation adjustment for two thousand ten--two thousand eleven computed
pursuant to chapter fifty-three of the laws of two thousand ten, making
appropriations for the support of government, plus the school district's
gap elimination adjustment for two thousand eleven--two thousand twelve
as computed pursuant to chapter fifty-three of the laws of two thousand
eleven, making appropriations for the support of the local assistance
budget, including support for general support for public schools,
divided by the total aid for adjustment computed pursuant to chapter
fifty-three of the laws of two thousand eleven, making appropriations
for the local assistance budget, including support for general support
for public schools. Provided, further, that such amount shall be
expended to support and maintain allowable programs and activities
approved in the two thousand nine--two thousand ten school year or to
support new or expanded allowable programs and activities in the current
year.

§ 2. Paragraph (f) of subdivision 17 of section 3602 of the education
law, as added by section 12 of part A of chapter 57 of the laws of 2013,
is amended and a new paragraph (g) is added to read as follows:
(f) The gap elimination adjustment restoration amount for the two
thousand fourteen--two thousand fifteen school year [and thereafter
shall equal the product of the gap elimination percentage for such
district and the gap elimination adjustment restoration allocation
established pursuant to subdivision eighteen of this section.] for a
school district shall be computed based on data on file with the commis-
sioner and in the database used by the commissioner to produce an
updated electronic data file in support of the executive budget request
submitted for the two thousand fourteen--two thousand fifteen state
fiscal year and shall equal the greater of:

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

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

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

(A) the product of (1) the product of two hundred and seventy-two
dollars ($272.00) multiplied by the extraordinary needs percent computed
to two decimal places without rounding multiplied by (2) the product of
the state sharing ratio computed pursuant to paragraph g of subdivision
three of this section multiplied by (3) the regional cost index pursuant
to subdivision four of this section multiplied by (4) the base year
public school district enrollment as computed pursuant to subparagraph
two of paragraph n of subdivision one of this section, or;

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

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

(b) the product of (A) the positive difference, if any, of the base
year public school district enrollment as computed pursuant to subpara-
graph two of paragraph n of subdivision one of this section minus the
public school district enrollment for the year five years prior to the
base year, as computed pursuant to subparagraph two of paragraph n of subdivision one of this section multiplied by (B) one thousand eight hundred fifteen dollars ($1,815) multiplied by (C) the state sharing ratio computed pursuant to paragraph g of subdivision three of this section;

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

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

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

a. State aid adjustments. All errors or omissions in the apportionment shall be corrected by the commissioner. Whenever a school district has been apportioned less money than that to which it is entitled, the commissioner may allot to such district the balance to which it is entitled. Whenever a school district has been apportioned more money than that to which it is entitled, the commissioner may, by an order, direct such moneys to be paid back to the state to be credited to the general fund local assistance account for state aid to the schools, or may deduct such amount from the next apportionment to be made to said district, provided, however, that, upon notification of excess payments
of aid for which a recovery must be made by the state through deduction of future aid payments, a school district may request that such excess payments be recovered by deducting such excess payments from the payments due to such school district and payable in the month of June in (i) the school year in which such notification was received and (ii) the two succeeding school years, provided further that there shall be no interest penalty assessed against such district or collected by the state. Such request shall be made to the commissioner in such form as the commissioner shall prescribe, and shall be based on documentation that the total amount to be recovered is in excess of one percent of the district's total general fund expenditures for the preceding school year. The amount to be deducted in the first year shall be the greater of (i) the sum of the amount of such excess payments that is recognized as a liability due to other governments by the district for the preceding school year and the positive remainder of the district's unreserved fund balance at the close of the preceding school year less the product of the district's total general fund expenditures for the preceding school year multiplied by five percent, or (ii) one-third of such excess payments. The amount to be recovered in the second year shall equal the lesser of the remaining amount of such excess payments to be recovered or one-third of such excess payments, and the remaining amount of such excess payments shall be recovered in the third year. Provided further that, notwithstanding any other provisions of this subdivision, any pending payment of moneys due to such district as a prior year adjustment payable pursuant to paragraph c of this subdivision for aid claims that had been previously paid as current year aid payments in excess of the amount to which the district is entitled and for which recovery of excess payments is to be made pursuant to this paragraph, shall be
reduced at the time of actual payment by any remaining unrecovered
balance of such excess payments, and the remaining scheduled deductions
of such excess payments pursuant to this paragraph shall be reduced by
the commissioner to reflect the amount so recovered. The commissioner
shall certify no payment to a school district based on a claim submitted
later than three years after the close of the school year in which such
payment was first to be made. For claims for which payment is first to
be made in the nineteen hundred ninety-six--ninety-seven school year,
the commissioner shall certify no payment to a school district based on
a claim submitted later than two years after the close of such school
year. For claims for which payment is first to be made [in the nineteen
hundred ninety-seven--ninety-eight] prior to the two thousand thirteen-
two thousand fourteen school year [and thereafter], the commissioner
shall certify no payment to a school district based on a claim submitted
later than one year after the close of such school year. Further
provided that for any apportionments provided pursuant to sections seven
hundred one, seven hundred eleven, seven hundred fifty-one, seven
hundred fifty-three, nineteen hundred fifty-three hundred two,
thirty-six hundred two-b, thirty-six hundred two-c, thirty-six hundred
two-e, thirty-six hundred twelve and forty-four hundred five of this
chapter for the two thousand fourteen--two thousand fifteen and prior
school years, the commissioner shall certify no payment to a school
district, other than payments pursuant to subdivisions six-a, eleven,
thirteen and fifteen of section thirty-six hundred two of this part, in
excess of the payment computed based on an electronic data file used to
produce the school aid computer listing produced by the commissioner in
support of the executive budget request submitted for the two thousand
fourteen--two thousand fifteen state fiscal year and entitled "BT141-5". 
and further provided that for any apportionments provided pursuant to sections seven hundred one, seven hundred eleven, seven hundred fifty-one, seven hundred fifty-three, nineteen hundred fifty, thirty-six hundred two, thirty-six hundred two-b, thirty-six hundred two-c, thirty-six hundred two-e, thirty-six hundred twelve and forty-four hundred five of this chapter for the two thousand fifteen--two thousand sixteen school year and thereafter, the commissioner shall certify no payment to a school district, other than payments pursuant to subdivisions six-a, eleven, thirteen and fifteen of section thirty-six hundred two of this part, in excess of the payment computed based on an electronic data file used to produce the school aid computer listing produced by the commissioner in support of the executive budget request submitted for the state fiscal year in which the school year commences. Provided, however, no payments shall be barred or reduced where such payment is required as a result of a final audit of the state. It is further provided that, until June thirtieth, nineteen hundred ninety-six, the commissioner may grant a waiver from the provisions of this section for any school district if it is in the best educational interests of the district pursuant to guidelines developed by the commissioner and approved by the director of the budget.

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

For aid payable in the two thousand seven--two thousand eight school year [and thereafter] through the two thousand thirteen--two thousand fourteen school year, "moneys apportioned" shall mean the lesser of (i) the sum of one hundred percent of the respective amount set forth for each school district as payable pursuant to this section in the school
aid computer listing for the current year produced by the commissioner
in support of the budget which includes the appropriation for the gener-
al support for public schools for the prescribed payments and individ-
ualized payments due prior to April first for the current year plus the
apportionment payable during the current school year pursuant to subdi-
vision six-a and subdivision fifteen of section thirty-six hundred two
of this part minus any reductions to current year aids pursuant to
subdivision seven of section thirty-six hundred four of this part or any
deduction from apportionment payable pursuant to this chapter for
collection of a school district basic contribution as defined in subdi-
vision eight of section forty-four hundred one of this chapter, less any
grants provided pursuant to subparagraph two-a of paragraph b of subdi-
vision four of section ninety-two-c of the state finance law, less any
grants provided pursuant to subdivision twelve of section thirty-six
hundred forty-one of this article, or (ii) the apportionment calculated
by the commissioner based on data on file at the time the payment is
processed; provided however, that for the purposes of any payments made
pursuant to this section prior to the first business day of June of the
current year, moneys apportioned shall not include any aids payable
pursuant to subdivisions six and fourteen, if applicable, of section
thirty-six hundred two of this part as current year aid for debt service
on bond anticipation notes and/or bonds first issued in the current year
or any aids payable for full-day kindergarten for the current year
pursuant to subdivision nine of section thirty-six hundred two of this
part. The definitions of "base year" and "current year" as set forth in
subdivision one of section thirty-six hundred two of this part shall
apply to this section. For aid payable in the two thousand thirteen--two
thousand fourteen school year, reference to such "school aid computer
listing for the current year" shall mean the printouts entitled
"SA131-4". For aid payable in the two thousand fourteen--two thousand
fifteen school year and thereafter, "moneys apportioned" shall mean the
lesser of: (i) the sum of one hundred percent of the respective amount
set forth for each school district as payable pursuant to this section
in the school aid computer listing for the current year produced by the
commissioner in support of the executive budget request which includes
the appropriation for the general support for public schools for the
prescribed payments and individualized payments due prior to April first
for the current year plus the apportionment payable during the current
school year pursuant to subdivisions six-a and fifteen of section thir-
ty-six hundred two of this part minus any reductions to current year
aids pursuant to subdivision seven of section thirty-six hundred four of
this part or any deduction from apportionment payable pursuant to this
chapter for collection of a school district basic contribution as
defined in subdivision eight of section forty-four hundred one of this
chapter, less any grants provided pursuant to subparagraph two-a of
paragraph b of subdivision four of section ninety-two-c of the state
finance law, less any grants provided pursuant to subdivision twelve of
section thirty-six hundred forty-one of this article; or (ii) the appor-
tionment calculated by the commissioner based on data on file at the
time the payment is processed; provided however, that for the purposes
of any payments made pursuant to this section prior to the first busi-
ness day of June of the current year, moneys apportioned shall not
include any aids payable pursuant to subdivisions six and fourteen, if
applicable, of section thirty-six hundred two of this part as current
year aid for debt service on bond anticipation notes and/or bonds first
issued in the current year or any aids payable for full-day kindergarten
for the current year pursuant to subdivision nine of section thirty-six hundred two of this part. The definitions of "base year" and "current year" as set forth in subdivision one of section thirty-six hundred two of this part shall apply to this section.

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

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

§ 6. The education law is amended by adding a new section 3613 to read as follows:
§ 3613. School district reorganizations and real property tax rates.

1. When two or more school districts propose to reorganize pursuant to sections fifteen hundred eleven through fifteen hundred thirteen, fifteen hundred twenty-four, fifteen hundred twenty-six, seventeen hundred five, or eighteen hundred one through eighteen hundred three of this chapter, and under the law that would otherwise be applicable, the reorganization would have an impact upon the school tax rates within the areas served by the school districts that existed prior to the reorganization, notwithstanding any other provision of law to the contrary, the boards of education or trustees of all the school districts participating in the proposed reorganization may opt to have that impact deferred for a one-year period and/or phased-in over a period as may be determined by the boards of education or trustees of all participating school districts in the manner prescribed by this section but which shall not exceed a ten-year period. To exercise such option, the boards of education or trustees of all participating school districts, after conducting a public hearing, may adopt a resolution at least forty-five days prior to the special district meeting at which the reorganization vote will be held, to defer and/or phase-in the impact as provided herein. If the board of education or trustees of any participating school district does not approve such a resolution opting for a common phase-in period, the provisions of this section shall not apply.

2. During the one-year deferral period, the tax rate for each portion of the school district shall be calculated in the following manner:

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 3627. Transportation after 4pm. 1. Notwithstanding any other provisions of this section to the contrary, for the two thousand thir-
two thousand fourteen and two thousand fourteen--two thousand fifteen school years, a city school district located in a city having a population of one million or more providing transportation pursuant to this chapter shall be responsible for:

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

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

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

3. A district shall not be deemed to have satisfied its obligation under this section by providing public service transportation.
4. Notwithstanding any other provision of law to the contrary, any expenditures for transportation provided pursuant to this section in the two thousand thirteen--two thousand fourteen and two thousand fourteen--two thousand fifteen school [year] years and otherwise eligible for transportation aid pursuant to subdivision seven of section thirty-six hundred two of this article shall be considered approved transportation expenses eligible for transportation aid, provided further that such aid shall be limited to five million six hundred thousand dollars. And provided further that such expenditures eligible for aid under this section shall supplement not supplant local expenditures for such transportation in the two thousand twelve--two thousand thirteen school year.

5. Notwithstanding any other provision of this section to the contrary, in no event shall such city school district, in order to comply with the requirements of this section, be required to incur any costs in excess of the amount eligible for transportation aid pursuant to subdivision four of this section. In the event such amount is insufficient, the city school district of New York shall provide transportation services within such amount on an equitable basis, until such apportionment is exhausted.

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

   (i) not further than 600 feet from the student's residence; and/or
at the same locations for any family that have children at the
same residence who attend two or more different schools.

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

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

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

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

8. The parent or guardian, or any representative authorized by such
parent or guardian, may submit a written request for transportation
under this section, in the same manner and upon the same dates as are
required for a request for transportation pursuant to subdivision two of
section thirty-six hundred thirty-five of this article.

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

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

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

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

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

(4) Applications submitted by eligible school districts shall include
information required by the commissioner including, but not limited to,
the extent to which the school district's plan is intended to recognize
and reward highly-effective teachers: (i) in school buildings with the
greatest academic need; (ii) in difficult-to-staff subject or certif-
ication areas and/or grade levels; and (iii) at critical points in a
teacher's career in order to encourage highly effective teachers to
remain in the classroom.

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

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

b. For the purpose of this subdivision:

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

(2) The term "eligible teacher" shall mean a teacher who (i) holds an
initial, provisional, transitional, permanent or professional state
teaching certificate appropriate to the teaching positions, including
the subject area if applicable, in which he or she is employed; (ii) is
a classroom teacher subject to the annual professional performance
review requirements of section three thousand twelve-c of this chapter;
and (iii) is rated "highly effective" based on his or her most recent annual professional performance review, in accordance with the requirements of section three thousand twelve-c of this chapter and regulations of the commissioner.

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

6. Notwithstanding any other law, rule or regulation to the contrary, the board of education of a city school district with a population of one hundred twenty-five thousand or more inhabitants shall be permitted to establish maximum class sizes for special classes for certain students with disabilities in accordance with the provisions of this subdivision. For the purpose of obtaining relief from any adverse fiscal impact from under-utilization of special education resources due to low student attendance in special education classes at the middle and secondary level as determined by the commissioner, such boards of education shall, during the school years nineteen hundred ninety-five--nineteen hundred ninety-six through June thirtieth, two thousand [fourteen] fifteen of the two thousand [thirteen] fourteen--two thousand [fourteen] fifteen school year, be authorized to increase class sizes in special classes containing students with disabilities whose age ranges are equivalent to those of students in middle and secondary schools as defined by the commissioner for purposes of this section by up to but not to exceed one and two tenths times the applicable maximum class size specified in regulations of the commissioner rounded up to the nearest whole number, provided that in a city school district having a population of one million or more, classes that have a maximum class size of fifteen may be increased by no more than one student and provided that the projected
average class size shall not exceed the maximum specified in the applicable regulation, provided that such authorization shall terminate on June thirtieth, two thousand. Such authorization shall be granted upon filing of a notice by such a board of education with the commissioner stating the board's intention to increase such class sizes and a certification that the board will conduct a study of attendance problems at the secondary level and will implement a corrective action plan to increase the rate of attendance of students in such classes to at least the rate for students attending regular education classes in secondary schools of the district. Such corrective action plan shall be submitted for approval by the commissioner by a date during the school year in which such board increases class sizes as provided pursuant to this subdivision to be prescribed by the commissioner. Upon at least thirty days notice to the board of education, after conclusion of the school year in which such board increases class sizes as provided pursuant to this subdivision, the commissioner shall be authorized to terminate such authorization upon a finding that the board has failed to develop or implement an approved corrective action plan.

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

§ 4403-a. Waivers from certain duties. 1. A local school district, approved private school or board of cooperative educational services may submit an application for a waiver from any requirement imposed on such district, school or board of cooperative educational services pursuant to section forty-four hundred two or section forty-four hundred three of this article, and regulations promulgated thereunder, for a specific school year. Such application must be submitted at least sixty days in
advance of the proposed date on which the waiver would be effective and
shall be in a form prescribed by the commissioner.

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

3. The commissioner may grant a waiver from any requirement imposed on
a local school district, approved private school or board of cooperative
educational services pursuant to section forty-four hundred two or
section forty-four hundred three of this article, upon a finding that
such waiver will enable a local school district, approved private school
or board of cooperative educational services to implement an innovative
special education program that is consistent with applicable federal
requirements, and will enhance student achievement and/or opportunities
for placement in regular classes and programs. In making such determi-
nation, the commissioner shall consider any comments received by the
local school district, approved private school or board of cooperative
educational services from parents or persons in parental relation to the
students that would be directly affected by the waiver if granted.

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

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

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

(B) Notwithstanding any other provision of law, rule or regulation to
the contrary, for the two thousand fourteen--two thousand fifteen school
year and thereafter, the commissioner, subject to the approval of the
director of the budget, shall establish regional tuition rates for
special education itinerant services based on approved actual costs in accordance with a methodology established pursuant to subdivision four of section forty-four hundred fifty of this article. Such special education itinerant services shall be provided by approved programs, and such approved programs shall be reimbursed for such services based on the actual attendance of preschool children receiving such services.

(iv) Notwithstanding any other provision of law, rule or regulation to the contrary, for the two thousand fourteen--two thousand fifteen school year and thereafter, the city of New York shall be authorized to establish local tuition rates for approved special education itinerant services provided within the city of New York through a competitive request for proposals process, provided that such local tuition rates shall not exceed the tuition rates determined by the commissioner and approved by the director of the budget pursuant to subparagraphs (i) through (iii) of this paragraph, and section forty-four hundred fifty of this article. The local tuition rates so established shall be used in the contracts with providers providing special education itinerant services within the city of New York. Notwithstanding any other provision of this article to the contrary, the city of New York shall be responsible for arranging for and selecting the approved special education itinerant program provider through the competitive request for proposal process to deliver the services consistent with the individualized education program of the preschool child. Provided, however, that the competitive request for proposal process authorized by this subparagraph shall not apply to preschool children with disabilities who received programs or services pursuant to this section in the two thousand thirteen--two thousand fourteen school year. The city of New York
shall be required to provide data relating to its local tuition rates to
the department in the form and manner prescribed by the commissioner.

§ 12. Subdivision b of section 2 of 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, as amended by section
27 of part A of chapter 57 of the laws of 2013, is amended to read as
follows:

b. Reimbursement for programs approved in accordance with subdivision
a of this section [for the 2010--2011 school year shall not exceed 62.6
percent of the lesser of such approvable costs per contact hour or
twelve dollars and five cents per contact hour, reimbursement] for the
2011--2012 school year shall not exceed 62.9 percent of the lesser of
such approvable costs per contact hour or twelve dollars and fifteen
cents per contact hour, reimbursement for the 2012--2013 school year
shall not exceed 63.3 percent of the lesser of such approvable costs per
contact hour or twelve dollars and thirty-five cents per contact hour,
[and] reimbursement for the 2013--2014 school year shall not exceed 62.3
percent of the lesser of such approvable costs per contact hour or
twelve dollars and sixty-five cents per contact hour, and reimbursement
for the 2014--2015 school year shall not exceed 61.6 percent of the
lesser of such approvable costs per contact hour or eight dollars and
three cents per contact hour where a contact hour represents sixty
minutes of instruction services provided to an eligible adult. Notwith-
standing any other provision of law to the contrary, [for the 2010--2011
school year such contact hours shall not exceed one million five hundred
twenty-five thousand one hundred ninety-eight (1,525,198) hours; where-
as] for the 2011--2012 school year such contact hours shall not exceed
one million seven hundred one thousand five hundred seventy (1,701,570)
hours; whereas for the 2012--2013 school year such contact hours shall not exceed one million six hundred sixty-four thousand five hundred thirty-two (1,664,532) hours; whereas for the 2013--2014 school year such contact hours shall not exceed one million six hundred forty-nine thousand seven hundred forty-six (1,649,746) hours; whereas for the 2014--2015 school year such contact hours shall not exceed one million four hundred thirty-two thousand one hundred twenty-nine (1,432,129) hours. Notwithstanding any other provision of law to the contrary, the apportionment calculated for the city school district of the city of New York pursuant to subdivision 11 of section 3602 of the education law shall be computed as if such contact hours provided by the consortium for worker education, not to exceed the contact hours set forth herein, were eligible for aid in accordance with the provisions of such subdivision 11 of section 3602 of the education law.

§ 13. Section 4 of chapter 756 of the laws of 1992, relating to funding a program for workforce education conducted by the consortium for worker education in New York city, is amended by adding a new subdivision to read as follows:

s. The provisions of this subdivision shall not apply after the completion of payments for the 2014--2015 school year. Notwithstanding any inconsistent provisions of law, the commissioner of education shall withhold a portion of employment preparation education aid due to the city school district of the city of New York to support a portion of the costs of the workforce education program. Such moneys shall be credited to the elementary and secondary education fund-local assistance account and shall not exceed eleven million five hundred thousand dollars ($11,500,000).
§ 14. Section 6 of 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, as amended by section 29 of part A of chapter 57 of the laws of 2013, is amended to read as follows:

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

§ 15. Subdivision 1 of section 167 of 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, as amended by section 30 of part A of chapter 57 of the laws of 2013, is amended to read as follows:

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

§ 16. Subdivisions 22 and 24 of section 140 of 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, as amended by section 31 of part A of chapter 57 of the laws of 2013, are amended to read as follows:

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

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

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

8. "School district basic contribution" shall mean an amount equal to the total school district local property and non-property tax levy for the base year divided by the base year public school district enrollment of resident pupils of the school district as defined in paragraph n of subdivision one of section thirty-six hundred two of this chapter, except that for the two thousand thirteen--two thousand fourteen and two thousand fourteen--two thousand fifteen school years, for school districts other than central high school districts and their components, such tax levy for the base year shall be divided by the year prior to the base year pupil count as determined by the commissioner pursuant to paragraph f of subdivision two of section thirty-six hundred two of this chapter for any school district in which such year prior to the base
§ 18. Section 12 of chapter 147 of the laws of 2001, amending the education law relating to conditional appointment of school district, charter school or BOCES employees, as amended by section 32 of part A of chapter 57 of the laws of 2013, is amended to read as follows:

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

§ 19. Section 4 of chapter 425 of the laws of 2002, amending the education law relating to the provisions 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, as amended by section 33 of part A of chapter 57 of the laws of 2013, is amended to read as follows:

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

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

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

§ 21. The opening paragraph of subdivision 10 of section 3602-e of the education law, as amended by section 10-a of part A of chapter 57 of the laws of 2012, is amended to read as follows:
Notwithstanding any provision of law to the contrary, for aid payable in the two thousand eight--two thousand nine school year, the grant to each eligible school district for universal prekindergarten aid shall be computed pursuant to this subdivision, and for the two thousand nine--two thousand ten and two thousand ten--two thousand eleven school years, each school district shall be eligible for a maximum grant equal to the amount computed for such school district for the base year in the electronic data file produced by the commissioner in support of the two thousand nine--two thousand ten education, labor and family assistance budget, provided, however, that in the case of a district implementing programs for the first time or implementing expansion programs in the two thousand eight--two thousand nine school year where such programs operate for a minimum of ninety days in any one school year as provided in section 151-1.4 of the regulations of the commissioner, for the two thousand nine--two thousand ten and two thousand ten--two thousand eleven school years, such school district shall be eligible for a maximum grant equal to the amount computed pursuant to paragraph a of subdivision nine of this section in the two thousand eight--two thousand nine school year, and for the two thousand eleven--two thousand twelve school year each school district shall be eligible for a maximum grant equal to the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2011-12 ESTIMATED AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the 2011-12 school year and entitled "SA111-2", and for two thousand twelve--two thousand thirteen [and], two thousand thirteen--two thousand fourteen and two thousand fourteen--two thousand fifteen school years each school district shall be eligible for a maximum grant equal to the greater of (i) the amount set forth for such school district as
"UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner in support of the enacted budget for the 2011-12 school year and entitled "SA111-2", or (ii) the amount set forth for such school district as "UNIVERSAL PREKINDERGARTEN" under the heading "2010-11 BASE YEAR AIDS" in the school aid computer listing produced by the commissioner on May fifteenth, two thousand eleven pursuant to paragraph b of subdivision twenty-one of section three hundred five of this chapter, and provided further that the maximum grant shall not exceed the total actual grant expenditures incurred by the school district in the current school year as approved by the commissioner.

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

§ 23. Special apportionment for salary expenses. a. Notwithstanding any other provision of law, upon application to the commissioner of education, not sooner than the first day of the second full business week of June, 2015 and not later than the last day of the third full business week of June, 2015, a school district eligible for an apportionment pursuant to section 3602 of the education law shall be eligible to receive an apportionment pursuant to this section, for the school year ending June 30, 2015, for salary expenses incurred between April 1
and June 30, 2015 and such apportionment shall not exceed the sum of (i) the deficit reduction assessment of 1990--1991 as determined by the commissioner of education, pursuant to paragraph f of subdivision 1 of section 3602 of the education law, as in effect through June 30, 1993, plus (ii) 186 percent of such amount for a city school district in a city with a population in excess of 1,000,000 inhabitants, plus (iii) 209 percent of such amount for a city school district in a city with a population of more than 195,000 inhabitants and less than 219,000 inhabitants according to the latest federal census, plus (iv) the net gap elimination adjustment for 2010--2011, as determined by the commissioner of education pursuant to chapter 53 of the laws of 2010, plus (v) the gap elimination adjustment for 2011--2012 as determined by the commissioner of education pursuant to subdivision 17 of section 3602 of the education law, and provided further that such apportionment shall not exceed such salary expenses. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

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

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

§ 24. Special apportionment for public pension accruals. a. Notwith-
standing any other provision of law, upon application to the comission-
er of education, not later than June 30, 2015, a school district eligi-
ble for an apportionment pursuant to section 3602 of the education law
shall be eligible to receive an apportionment pursuant to this section,
for the school year ending June 30, 2015 and such apportionment shall
not exceed the additional accruals required to be made by school districts in the 2004--2005 and 2005--2006 school years associated with changes for such public pension liabilities. The amount of such additional accrual shall be certified to the commissioner of education by the president of the board of education or the trustees or, in the case of a city school district in a city with a population in excess of 125,000 inhabitants, the mayor of such city. Such application shall be made by a school district, after the board of education or trustees have adopted a resolution to do so and in the case of a city school district in a city with a population in excess of 125,000 inhabitants, with the approval of the mayor of such city.

b. The claim for an apportionment to be paid to a school district pursuant to subdivision a of this section shall be submitted to the commissioner of education on a form prescribed for such purpose, and shall be payable upon determination by such commissioner that the form has been submitted as prescribed. Such approved amounts shall be payable on the same day in September of the school year following the year in which application was made as funds provided pursuant to subparagraph (4) of paragraph b of subdivision 4 of section 92-c of the state finance law, on the audit and warrant of the state comptroller on vouchers certified or approved by the commissioner of education in the manner prescribed by law from moneys in the state lottery fund and from the general fund to the extent that the amount paid to a school district pursuant to this section exceeds the amount, if any, due such school district pursuant to subparagraph (2) of paragraph a of subdivision 1 of section 3609-a of the education law in the school year following the year in which application was made.
c. Notwithstanding the provisions of section 3609-a of the education law, an amount equal to the amount paid to a school district pursuant to subdivisions a and b of this section shall first be deducted from the following payments due the school district during the school year following the year in which application was made pursuant to subparagraphs (1), (2), (3), (4) and (5) of paragraph a of subdivision 1 of section 3609-a of the education law in the following order: the lottery apportionment payable pursuant to subparagraph (2) of such paragraph followed by the fixed fall payments payable pursuant to subparagraph (4) of such paragraph and then followed by the district's payments to the teachers' retirement system pursuant to subparagraph (1) of such paragraph, and any reminder to be deducted from the individualized payments due the district pursuant to paragraph b of such subdivision shall be deducted on a chronological basis starting with the earliest payment due the district.

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

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

c. Notwithstanding any other law, rule or regulation to the contrary, all moneys appropriated to the state education department for aid to localities shall be available for payment of aid heretofore or hereafter
to accrue and may be suballocated to other departments and agencies to
accomplish the intent of the specific appropriations contained therein.

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

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

§ 27. The amounts specified in this section shall be a set aside from
the state funds which each such district is receiving from the total
foundation aid: for the purpose of the development, maintenance or
expansion of magnet schools or magnet school programs for the 2014--2015
school year. To the city school district of the city of New York there
shall be paid forty-eight million one hundred seventy-five thousand
dollars ($48,175,000) including five hundred thousand dollars ($500,000)
for the Andrew Jackson High School; to the Buffalo city school district,
twenty-one million twenty-five thousand dollars ($21,025,000); to the
Rochester city school district, fifteen million dollars ($15,000,000);
to the Syracuse city school district, thirteen million dollars
($13,000,000); to the Yonkers city school district, forty-nine million
five hundred thousand dollars ($49,500,000); to the Newburgh city school
district, four million six hundred forty-five thousand dollars
($4,645,000); to the Poughkeepsie city school district, two million four
hundred seventy-five thousand dollars ($2,475,000); to the Mount Vernon
city school district, two million dollars ($2,000,000); to the New
Rochelle city school district, one million four hundred ten thousand
doors ($1,410,000); to the Schenectady city school district, one
million eight hundred thousand dollars ($1,800,000); to the Port Chester
city school district, one million one hundred fifty thousand dollars
($1,150,000); to the White Plains city school district, nine hundred
thousand dollars ($900,000); to the Niagara Falls city school district,
six hundred thousand dollars ($600,000); to the Albany city school
district, three million five hundred fifty thousand dollars
($3,550,000); to the Utica city school district, two million dollars
($2,000,000); to the Beacon city school district, five hundred sixty-six
thousand dollars ($566,000); to the Middletown city school district,
four hundred thousand dollars ($400,000); to the Freeport union free
school district, four hundred thousand dollars ($400,000); to the Green-
burgh central school district, three hundred thousand dollars
($300,000); to the Amsterdam city school district, eight hundred thou-
sand dollars ($800,000); to the Peekskill city school district, two
hundred thousand dollars ($200,000); and to the Hudson city school
district, four hundred thousand dollars ($400,000). Notwithstanding the
provisions of this section, a school district receiving a grant pursuant
to this section may use such grant funds for: (i) any instructional or
instructional support costs associated with the operation of a magnet
school; or (ii) any instructional or instructional support costs associ-
ated with implementation of an alternative approach to reduction of
racial isolation and/or enhancement of the instructional program and
raising of standards in elementary and secondary schools of school
districts having substantial concentrations of minority students. The commissioner of education shall not be authorized to withhold magnet grant funds from a school district that used such funds in accordance with this paragraph, notwithstanding any inconsistency with a request for proposals issued by such commissioner. For the purpose of attendance improvement and dropout prevention for the 2014-2015 school year, for any city school district in a city having a population of more than one million, the setaside for attendance improvement and dropout prevention shall equal the amount set aside in the base year. For the 2014-2015 school year, it is further provided that any city school district in a city having a population of more than one million shall allocate at least one-third of any increase from base year levels in funds set aside pursuant to the requirements of this subdivision to community-based organizations. Any increase required pursuant to this subdivision to community-based organizations must be in addition to allocations provided to community-based organizations in the base year. For the purpose of teacher support for the 2014-2015 school year: to the city school district of the city of New York, sixty-two million seven hundred seven thousand dollars ($62,707,000); to the Buffalo city school district, one million seven hundred forty-one thousand dollars ($1,741,000); to the Rochester city school district, one million seventy-six thousand dollars ($1,076,000); to the Yonkers city school district, one million one hundred forty-seven thousand dollars ($1,147,000); and to the Syracuse city school district, eight hundred nine thousand dollars ($809,000). All funds made available to a school district pursuant to this section shall be distributed among teachers including prekindergarten teachers and teachers of adult vocational and academic subjects in accordance with this section and shall be in addi-
tion to salaries heretofore or hereafter negotiated or made available; provided, however, that all funds distributed pursuant to this section for the current year shall be deemed to incorporate all funds distributed pursuant to former subdivision 27 of section 3602 of the education law for prior years. In school districts where the teachers are represented by certified or recognized employee organizations, all salary increases funded pursuant to this section shall be determined by separate collective negotiations conducted pursuant to the provisions and procedures of article 14 of the civil service law, notwithstanding the existence of a negotiated agreement between a school district and a certified or recognized employee organization.

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

Notwithstanding any other provision of law to the contrary the moneys appropriated for the support of public libraries for the year 2014--2015 by a chapter of the laws of 2014 enacting the education, labor and family assistance budget shall fulfill the state's obligation to provide
such aid and, pursuant to a plan developed by the commissioner of educa-

tion and approved by the director of the budget, the aid payable to
libraries and library systems pursuant to such appropriations shall be
reduced proportionately to assure that the total amount of aid payable
does not exceed the total appropriations for such purpose.

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

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

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

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

3. Section eleven of this act shall take effect April 1, 2014 and
shall first apply to the provision of services and programs pursuant to
section 4410 of the education law in the 2014-2015 school year, provided
that the provisions of subparagraph (iv) of paragraph a of subdivision 10 of section 4410 of the education law, as added by such section of this act, shall expire and be deemed repealed June 30, 2019.

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

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

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

PART B

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

SMART SCHOOLS BOND ACT OF 2014

Section 1. Short title.

2. Creation of a state debt.

3. Bonds of the state.

4. Use of moneys received.

Section 1. Short title. This act shall be known and may be cited as the "smart schools bond act of 2014".
§ 2. Creation of a state debt. The creation of a state debt in an amount not exceeding in the aggregate two billion dollars ($2,000,000,000) is hereby authorized to provide moneys for the single purpose of improving learning and opportunity for public school students of the state by funding capital projects to: acquire learning technology equipment or facilities including, but not limited to, interactive whiteboards, computer servers, and desktop, laptop and tablet computers; install high-speed broadband or wireless internet connectivity for schools and communities; and construct, enhance, and modernize educational facilities to accommodate pre-kindergarten programs. The legislature may, by appropriate legislation and subject to such conditions as it may impose, make available out of the proceeds of the sale of bonds authorized in this act, moneys disbursed or to be disbursed for the cost of approved capital projects undertaken by, or on behalf of, school districts for such purposes.

§ 3. Bonds of the state. The state comptroller is hereby authorized and empowered to issue and sell bonds of the state up to the aggregate amount of two billion dollars ($2,000,000,000) for the purposes of this act, subject to the provisions of article five of the state finance law. The aggregate principal amount of such bonds shall not exceed two billion dollars ($2,000,000,000) excluding bonds issued to refund or otherwise repay bonds heretofore issued for such purpose; provided, however, that upon any such refunding or repayment, the total aggregate principal amount of outstanding bonds may be greater than two billion dollars ($2,000,000,000) only if the present value of the aggregate debt service of the refunding or repayment bonds to be issued shall not exceed the present value of the aggregate debt service of the bonds to
be refunded or repaid. The method for calculating present value shall be
determined by law.

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

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

PART C

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

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

16. Implementation of the smart schools bond act of 2014. a. Definitions. The following terms, whenever used or referred to in this subdivision, unless the context indicates otherwise, shall have the following meanings:

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

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

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

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

(5) "Pre-kindergarten project" shall mean a capital project which, as a primary purpose, expands the availability of adequate and appropriate instructional space for pre-kindergarten.
"Community connectivity project" shall mean a capital project which, as a primary purpose, expands high-speed broadband or wireless internet connectivity in the local community, including school buildings and campuses, for enhanced educational opportunity in the state.

"Classroom technology project" shall mean a capital project to expand high-speed broadband or wireless internet connectivity solely for school buildings and campuses, or to acquire learning technology hardware for schools, classrooms, and student use, including but not limited to whiteboards, computer servers, desktop computers, laptop computers, and tablet computers.

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

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

b. Smart schools investment plans. (1) The smart schools review board shall issue guidelines setting forth required components and eligibility criteria for smart schools investment plans to be submitted by school districts. Such guidelines shall include but not be limited to: (i) a timeline for school district submission of smart schools investment
plans; (ii) any requirements for the use of available state procurement options where applicable; and (iii) any limitations on the amount of a district's smart schools allocation that may be used for assets with a short probable life.

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

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

(4) Any amendments or supplements to a smart schools investment plan must be submitted to the smart schools review board for approval, and shall not take effect until such approval is granted.
c. Expenditure of money. (1) Smart schools grants. Each school district which has an approved smart schools investment plan including a smart schools project or projects shall be entitled to a grant or grants for the smart schools project or projects included therein in an amount, whether in the aggregate or otherwise, not to exceed the smart schools allocation calculated for such school district. The amount of such allocation not expended, disbursed or encumbered for any school year shall be carried over for expenditure and disbursement to the next succeeding school year. Expenditures from the smart schools allocation shall not be eligible for aid under any other provision of this chapter.

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

d. Consistency with federal tax law. All actions taken pursuant to this subdivision shall be reviewed for consistency with provisions of
the federal internal revenue code and regulations thereunder, in accord-
ance with procedures established in connection with the issuance of any
tax exempt bonds pursuant to this subdivision, to preserve the tax
exempt status of such bonds.
e. Compliance with other law. Every recipient of funds to be made
available pursuant to this subdivision shall comply with all applicable
state, federal and local laws.
§ 3. The state finance law is amended by adding a new section 97-oooo
to read as follows:
§ 97-oooo. Smart schools bond fund. 1. There is hereby established in
the joint custody of the state comptroller and the commissioner of taxa-
tion and finance a special fund to be known as the "smart schools bond
fund".
2. The state comptroller shall deposit into the smart schools bond
fund all moneys received by the state from the sale of bonds and/or
notes for uses eligible pursuant to section four of the smart schools
bond act of 2014.
3. Moneys in the smart schools bond fund, following appropriation by
the legislature and allocation by the director of the budget, shall be
available only for reimbursement of expenditures made from appropri-
ations from the capital projects fund for the purpose of the smart
schools bond fund, as set forth in the smart schools bond act of 2014.
4. No moneys received by the state from the sale of bonds and/or notes
sold pursuant to the smart schools bond act of 2014 shall be expended
for any project until funds therefor have been allocated pursuant to the
provisions of this section and copies of the appropriate certificates of
approval filed with the chair of the senate finance committee, the chair
of the assembly ways and means committee and the state comptroller.
§ 4. Section 61 of the state finance law is amended by adding a new subdivision 31 to read as follows:

SMART SCHOOLS PROJECTS

31. Thirty years. For the payment of smart schools projects, including but not limited to pre-kindergarten projects, community connectivity projects, and classroom technology projects, all as defined in subdivision sixteen of section thirty-six hundred forty-one of the education law and undertaken pursuant to a chapter of the laws of two thousand fourteen, enacting and constituting the smart schools bond act of 2014. Thirty years for pre-kindergarten projects, twenty years for community connectivity projects, and eight years for classroom technology projects. Notwithstanding the foregoing, for the purposes of calculating annual debt service, the state comptroller shall apply a weighted average period of probable life of such smart schools projects, including with any other works or purposes to be financed with state debt. Weighted average period of probable life shall be determined by computing the sum of the products derived from multiplying the dollar value of the portion of the debt contracted for each work or purpose (or class of works or purposes) by the probable life of such work or purpose (or class of works or purposes) and dividing the resulting sum by the dollar value of the entire debt after taking into consideration any original issue premium or discount.

§ 5. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.
§ 6. This act shall take effect only in the event that section 1 of part B of a chapter of the laws of 2014, enacting the "smart schools bond act of 2014," is submitted to the people at the general election to be held in November 2014 and is approved by a majority of all votes cast for and against it at such election. Upon such approval, this act shall take effect immediately. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of the foregoing sections of this act are authorized and directed to be made and completed on or before such effective date.

PART D

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

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

3. (a) (i) The practice of registered professional nursing by a nurse practitioner, certified under section six thousand nine hundred ten of this article, may include the diagnosis of illness and physical conditions and the performance of therapeutic and corrective measures within a specialty area of practice, in collaboration with a licensed physician qualified to collaborate in the specialty involved, provided such services are performed in accordance with a written practice agreement and written practice protocols except as permitted by paragraph (b) of this subdivision. The written practice agreement shall include explicit provisions for the resolution of any disagreement between the collaborating physician and the nurse practitioner regarding a matter of diagnosis or treatment that is within the scope of practice of both. To the
extent the practice agreement does not so provide, then the collaborating physician's diagnosis or treatment shall prevail.

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

(iii) Prescriptions for drugs, devices and immunizing agents may be issued by a nurse practitioner, under this [subdivision] paragraph and section six thousand nine hundred ten of this article, in accordance with the practice agreement and practice protocols except as permitted by paragraph (b) of this subdivision. The nurse practitioner shall 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.

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

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

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

[(f)] (b) Notwithstanding subparagraph (i) of paragraph (a) of this
24 subdivision, a nurse practitioner, certified under section sixty-nine
hundred ten of this article and practicing for more than three thousand six hundred hours may comply with this paragraph in lieu of complying with the requirements of paragraph (a) of this subdivision relating to collaboration with a physician, a written practice agreement and written practice protocols. A nurse practitioner complying with this paragraph shall have collaborative relationships with one or more licensed physicians qualified to collaborate in the specialty involved or a hospital, licensed under article twenty-eight of the public health law, that provides services through licensed physicians qualified to collaborate in the specialty involved and having privileges at such institution. The nurse practitioner shall document such collaborative relationships in a manner required by the department, which identifies the name and medical license number of each physician or hospital, as applicable, with whom the nurse practitioner is collaborating, and the nurse practitioner attests that the physician or hospital is aware of and has agreed to maintain a collaborative relationship with the nurse practitioner.

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

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

(e) In conjunction with and as a condition of each triennial registration, the department shall collect and a nurse practitioner shall
provide such information and documentation required by the department, in consultation with the department of health, as necessary to enable the department of health to evaluate access to needed services in this state, including but not limited to the location and type of setting wherein the nurse practitioner practices; if the nurse practitioner has practiced for fewer than three thousand six hundred hours and is practicing pursuant to a written practice agreement with a physician; if the nurse practitioner practices pursuant to a written practice agreement with a nurse practitioner for six months and if the written practice agreement has been extended for an additional six months upon a showing of good cause subject to the approval of the department; if the nurse practitioner practices pursuant to collaborative relationships with a physician or hospital; and other information the department, in consultation with the department of health, deems relevant.

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

PART E

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

9. "Pattern of harassment, bullying or discrimination" shall mean multiple incidents of harassment, bullying or discrimination involving one or more known or unknown perpetrators against a particular class or classes of persons based on their actual or perceived race, color,
weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. 

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

d. require the principal, superintendent or the principal's or superintendent's designee to lead or supervise the thorough investigation of all reports of harassment, bullying and discrimination, and to ensure that such investigation is completed promptly after receipt of any written reports made under this section. If the principal or superintendent designates an individual to lead and supervise such investigation and the investigation reveals verified harassment, bullying or discrimination, the principal's or superintendent's designee shall promptly forward any determinations of verified harassment, bullying or discrimination directly to the principal or superintendent, or both, as determined by the school district;

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

e. require, as part of the investigation undertaken pursuant to paragraph d of this subdivision, the principal, superintendent or the principal's or superintendent's designee to also investigate and determine if each verified incident is part of a pattern of harassment, bullying or discrimination. If the principal or superintendent designates an individual to lead and supervise such investigation, the principal's or superintendent's designee shall promptly forward any such determinations, whether or not they find a pattern of harassment, bullying or discrimination, directly to the principal or superintendent, or both, as
determined by the school district; such official or officials, in turn, shall promptly undertake an independent review of each determination to determine if the verified incident is part of such a pattern of harassment, bullying or discrimination;

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

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

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

7. If the commissioner receives or acquires substantial evidence from any source that a school principal or superintendent has failed to
fulfill his or her duties under this article or has failed to report a pattern of harassment, bullying or discrimination as defined in section eleven of this article, of which the principal or superintendent knew or should have known, the commissioner shall initiate a removal proceeding pursuant to subdivision one of section three hundred six of this title. For the purposes of this subdivision only, a principal shall be deemed a school officer.

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

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

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

PART F

Section 1. Section 292 of the executive law is amended by adding a new subdivision 35 to read as follows:
35. The term "educational institution", when used in this article, shall mean:

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

(b) any public school, including any school district, board of cooperative educational services, public college, or public university.

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

4. It shall be an unlawful discriminatory practice for an educational institution to deny the use of its facilities to any person otherwise qualified, or to permit the harassment of any student or applicant, by reason of his race, color, religion, disability, national origin, sexual orientation, military status, sex, age or marital status, except that any such institution which establishes or maintains a policy of educating persons of one sex exclusively may admit students of only one sex.

§ 3. This act shall take effect immediately.

PART G

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

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

2. Awards shall be granted beginning with the two thousand fourteen--
3 two thousand fifteen academic year and thereafter to applicants that the
4 corporation has determined are eligible to receive such awards. The
5 corporation shall grant such awards in an amount equal to the amount of
6 undergraduate tuition for residents of New York state charged by the
7 state university of New York or actual tuition charged, whichever is
8 less; provided, however, (i) a student who receives educational grants
9 and/or scholarships that cover the student's full cost of attendance
10 shall not be eligible for an award under this program; (ii) for a
11 student who receives educational grants and/or scholarships that cover
12 less than the student's full cost of attendance, such grants and/or
13 scholarships shall not be deemed duplicative of this program and may be
held concurrently with an award under this program, provided that the
combined benefits do not exceed the student's full cost of attendance;
and (iii) an award under this program shall be applied to tuition after
the application of all other educational grants and scholarships limited
to tuition and shall be reduced in an amount equal to such educational
grants and/or scholarships. Upon notification of an award under this
program, the institution shall defer the amount of tuition equal to the
award. No award shall be final until the recipient's successful
completion of a term has been certified by the institution.

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

4. The corporation shall convert to a student loan the full amount of
the award given pursuant to this section, plus interest, according to a
schedule to be determined by the corporation if: (a) a recipient fails
to complete an approved undergraduate program in science, technology,
gineering or mathematics or changes majors to a program of undergradu-
ate study other than in science, technology, engineering or mathematics;
or (b) upon completion of such undergraduate degree program a recipient
fails to either (i) complete five years of employment in the science,
technology, engineering or mathematics field with a public or private
entity located within New York state, or (ii) maintain residency in New
York state for such period of employment; or (c) a recipient fails to
respond to requests by the corporation for the status of his or her
academic or professional progress. The terms and conditions of this
subdivision shall be deferred for individuals who graduate with a degree
in an approved undergraduate program in science, technology, engineering
or mathematics and continue their education on at least a half-time
basis in a graduate or higher degree program or other professional
licensure degree program until they are conferred a degree, and shall
also be deferred for any interruption in undergraduate study or employ-
ment as established by the rules and regulations of the corporation.
The terms and conditions of this subdivision may also be deferred for a
grace period, to be established by the corporation, following the
completion of an approved undergraduate program in science, technology,
engineering or mathematics. Any obligation to comply with such
provisions as outlined in this section shall be cancelled upon the death
of the recipient. Notwithstanding any provisions of this subdivision to
the contrary, the corporation is authorized to promulgate rules and
regulations to provide for the waiver or suspension of any financial
obligation which would involve extreme hardship.

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

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

PART H

Section 1. Paragraph (a) of subdivision 1 of section 1 of part U of
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, as amended by section 1 of part C of
chapter 57 of the laws of 2013, is amended to read as follows:

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

§ 2. Paragraph (h) of subdivision 4 of section 1 of part U of chapter
57 of the laws of 2005 amending the labor law and other laws implement-
ing 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, as amended by section 2 of part C of chapter
57 of the laws of 2013, is amended to read as follows:

(h) In the event that any colleges do not apply for higher education
capital matching grants by March 31, 2009, or in the event they apply
for and are awarded, but do not use the full amount of such grants, the
unused funds associated with such grants shall thereafter be awarded to
colleges on a competitive basis, according to the priorities set forth
below. Notwithstanding subdivision five of this section, any college
shall be eligible to apply for such unused funds in response to a
request for proposals for a higher education capital matching grant
pursuant to this paragraph. In such cases, the following priorities shall apply: first, priority shall be given to otherwise eligible colleges that either were, or would have been, deemed ineligible for the program prior to March 31, 2009, due to missed deadlines, insufficient matching funds, lack of accreditation or other disqualifying reasons; and second, after the board has acted upon all such first-priority applications for unused funds, if any such funds remain, those funds shall be available for distribution to eligible colleges. The dormitory authority shall develop a request for proposals and application process, in consultation with the board, for higher education capital matching grants awarded pursuant to this paragraph, and shall develop criteria, subject to review by the board, for the awarding of such grants. Such criteria shall include, but not be limited to the matching criteria contained in paragraph (c) of this subdivision, and the application criteria set forth in paragraph (e) of this subdivision. The dormitory authority shall require all applications in response to the request for proposals to be submitted by September 1, 2014, and the board shall act on each application for such matching grants by November 1, 2014.

§ 3. Subclause (A) of clause (ii) of paragraph (j) of subdivision 4 of section 1 of part U of 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, as amended by section 3 of part C of chapter 57 of the laws of 2013, is amended to read as follows:

(A) Notwithstanding the provision of any general or special law to the contrary, and subject to the provisions of chapter 59 of the laws of
2000 and to the making of annual appropriations therefor by the legisla-
ture, in order to assist the dormitory authority in providing such high-
er education capital matching grants, the director of the budget is
authorized in any state fiscal year commencing April 1, 2005 or any
state fiscal year thereafter for a period ending on March 31, [2015,]
to enter into one or more service contracts, none of which shall
exceed 30 years in duration, with the dormitory authority, upon such
terms as the director of the budget and the dormitory authority agree.
§ 4. Paragraph (b) of subdivision 7 of section 1 of part U of chapter
57 of the laws of 2005 amending the labor law and other laws implement-
ing the state fiscal plan for the 2005-2006 state fiscal year, relating
to the New York state higher education matching capital grant program
for independent colleges, as amended by section 4 of part C of chapter
57 of the laws of 2013, is amended to read as follows:
(b) Any eligible institution receiving a grant pursuant to this arti-
cle shall report to the dormitory authority no later than June 1, [2014]
2018, on the use of funding received and its programmatic and economic
impact. The dormitory authority shall submit a report no later than
November 1, [2014] 2018 to [the board,] the governor, the director of
the budget, the temporary president of the senate, and the speaker of
the assembly on the aggregate impact of the higher education matching
capital grant program. Such report shall provide information on the
progress and economic impact of such project.
§ 5. This act shall take effect immediately and shall be deemed to
have been in full force and effect on and after April 1, 2014.

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

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

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

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

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

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

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

§ 2. Paragraphs (a), (b), (c), (d), (e) and (f) of subdivision 2 of section 209 of the social services law, as amended by section 2 of part E of chapter 57 of the laws of 2013, are amended to read as follows:
(a) On and after January first, two thousand thirteen fourteen, for an eligible individual living alone, $808.00; and for an eligible couple living alone, $1186.00.

(b) On and after January first, two thousand thirteen fourteen, for an eligible individual living with others with or without in-kind income, $744.00; and for an eligible couple living with others with or without in-kind income, $1128.00.

(c) On and after January first, two thousand thirteen fourteen, (i) for an eligible individual receiving family care, $987.48 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving family care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $949.48; and (iv) for an eligible couple receiving such care in any other county in the state, two times the amount set forth in subparagraph (iii) of this paragraph.

(d) On and after January first, two thousand thirteen fourteen, (i) for an eligible individual receiving residential care, $1156.00 if he or she is receiving such care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland; and (ii) for an eligible couple receiving residential care in the city of New York or the county of Nassau, Suffolk, Westchester or Rockland, two times the amount set forth in subparagraph (i) of this paragraph; or (iii) for an eligible individual receiving such care in any other county in the state, $1126.00; and (iv) for an eligible couple receiving...
such care in any other county in the state, two times the amount set
forth in subparagraph (iii) of this paragraph.

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

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

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

PART J

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

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

§ 2. The social services law is amended by adding a new section 145-d
to read as follows:
§ 145-d. Sanctions and penalties for the unauthorized use of public assistance. 1. It shall be an unauthorized use of public assistance for any recipient thereof to access public assistance by means of an electronic benefit transfer in: (i) any establishment that is licensed to sell liquor and/or wine at retail for off-premises consumption; (ii) any establishment that is licensed to sell beer at wholesale and also authorized to sell beer at retail for off-premises consumption; (iii) any casino, gambling casino or gaming establishment, except as provided for in subdivision two of section one hundred fifty-one of this title; or (iv) any establishment that provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. For purposes of this section, "gaming establishment" shall mean any video lottery facility, off-track betting branch office, simulcast facility, licensed commercial charitable gaming facility, or any pari-mutuel race track area at which wagers may be accepted but shall not include any area that does not accept wagers and is not open to the public or to unauthorized personnel, such as non-wagering areas of the backstretch.

2. Any person who, individually or as a member of a family, is found by a federal, state, local, criminal, civil or other court or pursuant to an administrative hearing held in accordance with the regulations of the department, on the basis of a plea of guilty or nolo contendere or otherwise, to have accessed public assistance by means of an electronic benefit transfer in an unauthorized location as set forth in subdivision one of this section, shall not have his or her needs taken into account in determining his or her need or that of his or her family pursuant to section one hundred thirty-one-a of this title: (i) for a period of one month for the first offense; (ii) for a period of two months for the
second offense; (iii) for a period of three months for the third
offense; and (iv) for a period of six months for any subsequent offense.
These sanctions shall be in addition to and not in substitution of any
other sanctions or penalties that may be provided for by law with
respect to the unauthorized use involved, except that the social
services official or court official assessing sanctions or penalties
against a recipient for an unauthorized use as described in subdivision
one of this section may consider whether to impose such other sanctions
or penalties based upon the existence of the sanctions described in this
subdivision.

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

§ 151. [Penalty] Penalties for cashing public assistance checks or
accepting electronic benefit transfers from public assistance
recipients. [No] 1. Unauthorized transactions. Except as otherwise
provided in subdivision two of this section, no person, firm, establish-
ment, entity, or corporation (a) licensed under the [provision]
provisions of the alcoholic beverage control law to sell liquor and/or
wine at retail for off-premises consumption; (b) licensed to sell beer
at wholesale and also authorized to sell beer at retail for off-premises
consumption; (c) licensed or authorized to conduct pari-mutuel wagering
activity under the racing, pari-mutuel wagering and breeding law; (d)
licensed to participate in charitable gaming under article fourteen-H of
the general municipal law; (e) licensed to participate in the operation
of a video lottery facility under section one thousand six hundred
seventeen-a of the tax law; (f) licensed to operate a gaming facility
under section one thousand three hundred eleven of the racing, pari-mu-
tuel wagering and breeding law; or (g) providing adult-oriented enter-
1. Entertainment in which performers disrobe or perform in an unclothed state for entertainment, or making available the venue in which performers disrobe or perform in an unclothed state for entertainment, shall cash or accept, for any purpose whatsoever, for unauthorized transactions as set forth in subdivision one of section one hundred forty-five-d of this article, any public assistance check or electronic benefit transfer device issued by a public welfare official or department, or agent thereof, as and for public assistance.

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

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

3. Penalties. (a) A violation of the provisions of subdivision one of this section [for the first offense shall be punishable by a fine not to exceed fifty dollars. A second offense] taking place at the licensed premises by a person, corporation or entity licensed under the alcoholic beverage control law: (i) to sell liquor and/or wine at retail for off-
(i) to sell beer at wholesale and also authorized
to sell beer at retail for off-premises consumption; or (iii) to sell
liquor, wine and/or beer for on-premises consumption at an establishment
where entertainers appear unclothed as permitted by the rules of the
state liquor authority, shall constitute [sufficient] cause, for the
purposes of section one hundred eighteen of the alcoholic beverage
control law, for the revocation, cancellation or suspension of such
license [issued pursuant to the alcoholic beverage control law].

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

(c) A violation of the provisions of subdivision one of this section
by any person, firm, establishment, entity or corporation providing
adult-oriented entertainment in which performers disrobe or perform in
an unclothed state for entertainment, or making available the venue in
which performers disrobe or perform in an unclothed state for enter-
tainment, shall be a violation, as defined in subdivision three of
section 10.00 of the penal law, subject to a fine of not more than one
hundred dollars, a second such violation shall be a violation subject to
a fine of not more than five hundred dollars, and a third such violation
shall be class B misdemeanor subject to a fine of not more than one
dozen dollars.

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

PART K

Section 1. Notwithstanding any other provision of law, the housing
corporation (the corporation) may provide, for purposes of
the rural rental assistance program, a sum not to exceed twenty million
four hundred thousand dollars for the fiscal year ending March 31, 2015.
Notwithstanding any other provision of law, and provided that the
reserves in the project pool insurance account of the mortgage insurance
fund created pursuant to section 2429-b of the public authorities law
are sufficient to attain and maintain the credit rating (as determined
by the agency) required to accomplish the purposes of such account, the
board of directors of the state of New York mortgage agency shall
authorize the transfer from the project pool insurance account of the
mortgage insurance fund to the housing trust fund corporation (the
corporation), for the purposes of reimbursing any costs associated with
rural rental assistance program contracts authorized by this section, a
total sum not to exceed twenty million four hundred thousand dollars as
soon as practicable but no later than June 30, 2014. Notwithstanding any
other provision of law, all current and existing rural rental assistance
program contracts may be assigned to the corporation to administer as
soon as practicable. Notwithstanding any other provision of law, such
funds may be used by the corporation in support of contracts scheduled
to expire in 2014-15 for as many as 10 additional years; in support of
contracts for new eligible projects for a period not to exceed 5 years;
and in support of contracts which reach their 25 year maximum in and/or
prior to 2014-15 for an additional one year period.

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

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

§ 4. Notwithstanding any other provision of law, the housing trust fund corporation (the corporation) may provide, for purposes of the rural preservation program, a sum not to exceed three million five hundred thirty-nine thousand dollars for the fiscal year ending March 31, 2015. Notwithstanding any other provision of law, and provided that the reserves in the project pool insurance account of the mortgage insurance fund created pursuant to section 2429-b of the public authorities law are sufficient to attain and maintain the credit rating (as determined by the agency) required to accomplish the purposes of such account, the board of directors of the state of New York mortgage agency shall authorize the transfer from the project pool insurance account of the mortgage insurance fund to the housing trust fund corporation (the corporation), for the purposes of reimbursing any costs associated with rural preservation program contracts authorized by this section, a total sum not to exceed three million five hundred thirty-nine thousand dollars as soon as practicable but no later than June 30, 2014.
§ 5. Notwithstanding any other provision of law, the housing trust
fund corporation (the corporation) may provide, for purposes of the
rural and urban community investment fund program created pursuant to
article XXVII of the private housing finance law, a sum not to exceed
six million seven hundred fifty thousand dollars for the fiscal year
ending March 31, 2015. Notwithstanding any other provision of law, and
provided that the reserves in the project pool insurance account of the
mortgage insurance fund created pursuant to section 2429-b of the public
authorities law are sufficient to attain and maintain the credit rating
(as determined by the agency) required to accomplish the purposes of
such account, the board of directors of the state of New York mortgage
agency shall authorize the transfer from the project pool insurance
account of the mortgage insurance fund to the housing trust fund corpo-
ration (the corporation), for the purposes of reimbursing any costs
associated with rural and urban community investment fund program
contracts authorized by this section, a total sum not to exceed six
million seven hundred fifty thousand dollars as soon as practicable but
not later than March 31, 2015.

§ 6. Notwithstanding any other provision of law, the housing trust
fund corporation (the corporation) may provide, for the purposes of
carrying out the provisions of the low income housing trust fund program
created pursuant to article XVIII of the private housing finance law, a
sum not to exceed two million five hundred thousand dollars for the
fiscal year ending March 31, 2015. Notwithstanding any other provision
of law, and provided that reserves in the project pool insurance account
of the mortgage insurance fund created pursuant to section 2429-b of the
public authorities law are sufficient to attain and maintain the credit
rating (as determined by the agency) required to accomplish the purposes
of such account, the board of directors of the state of New York mort-
gage agency shall authorize the transfer from the project pool insurance
account of the mortgage insurance fund to the housing trust fund corpo-
rathon (the corporation), for the purposes of carrying out the
provisions of the low income housing trust fund program created pursuant
to article XVIII of the private housing finance law authorized by this
section, a total sum not to exceed two million five hundred thousand
dollars as soon as practicable but no later than March 31, 2015.

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

§ 8. This act shall take effect immediately.
PART L

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

SUBPART A

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

(8) To enter into contracts with the commissioner of the office of children and family services pursuant to subdivision six-a of section thirty-two hundred two of this chapter to provide to such office, for the benefit of youth in its custody, any special education programs and any other programs and related services provided by the board of cooperative educational services to component school districts. Any such proposed contract shall be subject to the review and approval of the commissioner to determine that it is an approved cooperative educational service. Services provided pursuant to such contracts shall be provided
at cost, and the board of cooperative educational services shall not be
authorized to charge any costs incurred in providing such services to
its component school districts.

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

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

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

SUBPART B

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

(a) Notwithstanding the provisions of paragraph (c) of subdivision fifteen of section five hundred one of the executive law, or any other law to the contrary, if the office of children and family services approves a social services district's plan for a juvenile justice services close to home initiative to implement services for juvenile delinquents placed in non-secure or limited secure settings, such office shall be authorized, for up to a year after the effective date of the first of any such approved plan for a district to implement services for each setting level, but in no event later than [September first, two thousand fourteen] April thirtieth, two thousand fifteen: (1) to close any of its facilities in the corresponding setting levels covered by the approved plan and to make significant associated service reductions and public employee staffing reductions and transfer operations for those setting levels to a private or not-for-profit entity, as determined by the commissioner of the office of children and family services solely to reflect the decrease in the number of juvenile delinquents placed with such office from such social services district; (2) to reduce costs to the state and other social services districts resulting from such decrease; and (3) to adjust services to provide regionally-based care to juvenile delinquents from other parts of the state needing services in
those levels of residential services. At least sixty days prior to
taking any such action, the commissioner of the office shall provide
notice of such action to the speaker of the assembly and the temporary
president of the senate and shall post such notice upon its public
website. Such notice may be provided at any time on or after the date
the office approves a plan authorizing a social services district to
implement programs for juvenile delinquents placed in the applicable
setting level. Such commissioner shall be authorized to conduct any and
all preparatory actions which may be required to effectuate such
closures or significant service or staffing reductions and transfer of
operations during such sixty day period. In assessing which of such
facilities to close, or at which to implement any significant service
reductions, public employee staffing reductions and/or transfer of oper-
ations to a private or not-for-profit entity, the commissioner shall
consider the following factors: (1) ability to provide a safe, humane
and therapeutic environment for placed youth; (2) ability to meet the
educational, mental health, substance abuse and behavioral health treat-
ment needs of placed youth; (3) community networks and partnerships that
promote the social, mental, economic and behavioral development of
placed youth; (4) future capacity requirements for the effective opera-
tion of youth facilities; (5) the physical characteristics, conditions
and costs of operation of the facility; and (6) the location of the
facility in regards to costs and ease of transportation of placed youth
and their families.

§ 2. This act shall take effect immediately; provided that the amend-
ments to paragraph (a) of subdivision 7 of section 404 of the social
services law made by section one of this act shall not affect the repeal
of such section and shall be deemed repealed therewith pursuant to
section 11 of subpart A of part G of chapter 57 of the laws of 2012.

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

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

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

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