



## 2019 NYSSBA End of Session Advocacy Summary

*\*An asterisk denotes that if signed the bill would enact a NYSSBA position statement.*

### Key Issues:

**S.5205-A (Gounardes)/A7624-A (Abbate):** Legislation was introduced and passed that would require public employers, including school districts, to use an independent hearing officer and adhere to the decision of the hearing officer in all disciplinary matters involving their civil service employees covered by section 75 of the civil service law. Districts would also have been prohibited from placing employees awaiting hearing on unpaid suspension, even in cases of misconduct. NYSSBA opposed this legislation as a costly and time-consuming new mandate on school districts, establishing a 3020-a like process for all employees. Luckily, after an aggressive campaign to stop it, the Assembly left town before acting on this proposal.

**S.1720 (Ramos)/A.6157 (Titus):** NYSSBA opposed legislation that passed both houses that would require school districts to establish workplace violence prevention plans and submit them to the State Department of Labor. In the event that there is an incident, this legislation would create a mechanism for the employee to file a complaint with the Department of Labor, which could then inspect and investigate. The requirements of this proposal are substantially achieved in existing Education Law through requirements to establish codes of conduct, district safety plans and building level emergency response plans. If signed, this proposal would require a duplicative safety plan, and would provide DOL with the authority to inspect and investigate incidents in school buildings. This would include incidents that may involve students, which are also covered by a host of existing laws, regulations and protections that DOL may not be familiar with. NYSSBA will seek a veto of this proposal that would add additional and duplicative reporting, training and administrative issues.

**Chapter 35 of the laws of 2019 - S.2994 (Holyman)/A.2371-A (Dinowitz):** This law eliminates the religious exemption from mandated vaccines to attend school. In response to the most significant measles outbreak in decades, state policy makers took action to ensure that only those individuals who are medically prohibited from having vaccinations would be in our schools. This contentious issue, adopted with NYSSBA support, was difficult but necessary to keep students and staff safe.

**\*S.5425 (Mayer)/A.7062 (McDonald):** This bill would alter the calculation of the small city school district debt limit. In other districts, when calculating the allowable debt of the district, anticipated building aid payments are applied, effectively reducing the debt. Small cities that have a constitutional debt limit are not permitted to apply building aid in this way and therefore their debt limit is effectively

reduced even further. If enacted, this NYSSBA supported change would maintain the constitutional limit, while still creating much needed financial flexibility for small city districts.

**NYSSBA supported bills that have been signed by the Governor as of 6/21/19:**

**Chapter 19 of the laws of 2019 – S.2451 (Kavanagh)/A.2689 (Simon):** This law enables certain school administrators, teachers, guidance counselors and other school personnel to petition for an extreme risk protection order against an individual they believe may be a threat to him or herself or others.

**Chapter 30 of the laws of 2019 - S.4331 (Gounardes)/A.6449 (Glick):** This law expands from 140 to 750 the number of photo speed violation monitoring systems programs or “speed zone cameras” in the city of New York. The reauthorized and expanded program also requires that the City install signs indicating if speed cameras are in use.

**NYSSBA supported bills that have passed both houses and are awaiting final action by the Governor:**

**\*S.88 (Kaminsky)/A.3002 (Solages):** This bill would require Industrial Development Agencies (IDAs) to live stream all open meetings and public hearings. The IDAs would then be required to post recordings of the meetings and hearings to their website for at least five years.

**S.231 (Kennedy)/A.951 (People-Stokes):** This bill would establish in the city of Buffalo a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices.

**\*S.1624 (Skoufis)/A.7112 (Benedetto):** This bill would authorize school districts to require kindergarten attendance.

**S.1866-B (Breslin)/A.2858-B (McDonald):** This bill would increase the amount, from \$30,000 to \$35,000 that a public sector retiree under 65 years of age may earn in public employment without a diminution of his or her retirement benefits.

**\*S.2038-A (Carlucci)/A.1922-A (Galef):** This bill would change absentee ballot applications for school district elections to align absentee ballot applications for other elections run by the Board of Elections.

**\*S.2769 (Comrie)/A.2947 (Solages):** This bill would require Industrial Development Agencies (IDAs) to provide formal notice to affected school boards and superintendents prior to considering payment-in-lieu-of-taxes (PILOT) agreements and other financial incentives. Formal notice would be defined as certified mail, return receipt requested.

**\*S.3972 (Harckham)/A.218 (Paulin):** This bill would ensure that changes in PILOTs due to successful challenges to assessments would not take effect until the following school year.

**\*S.4009 (Mayer)/A.6540 (Otis):** This bill would allow small city school districts to start their elections at 6:00 a.m., like other fiscally independent school districts are entitled to do.

**S.4488-A (Gounardes)/A.6596-A (Abbate):** This bill would extend to June 30th, 2021 the current 7% statutory rate of interest used to determine employer's contributions for the New York City Employees' Retirement System, Teachers' Retirement System, Board of Education Retirement System, Police Pension Fund and Fire Department Pension Fund.

**S.4524-B (Kennedy)/A.4950-B (Magnarelli):** This bill would authorize school districts to partner with the municipalities in which they are located for the installation and use of school bus photo violation monitoring systems otherwise known as “stop arm cameras”.

**S.4770-A(Salazar)/A.7962-A (Gottfried):** This bill would require the state expand the currently highly restrictive state policies and regulations around Medicaid reimbursement for school district transportation services not be more restrictive than those established at the federal level by the Center for Medicaid Services (CMS).

**S.5323 (Mayer)/A.6671-A (Paulin):** This bill would extend for 5 years, until 2024, the authority of BOCES to lease property for up to 20 years.

**S.5629 (Mayer)/A.7694 (Benedetto):** This bill would authorize preschool special education providers to contract with BOCES for staff recruitment services through an online application system.

**S.5636-A (Carlucci)/A.7654-A (Jaffee):** This bill would extend BOCES’ authority to contract with out of state schools to sell their programs and services for an additional 5 years, and would expand the authority to include technology products and computer software packages in the services they would be permitted to provide.

**S.5757 (Mayer)/A.7114 (Jones):** This bill would eliminate financial penalties to school districts that are forced to close a scheduled day of school due to the declaration of a state of emergency at the state or local level, even if they are in session less than 180 days as a result.

**\*S.5768 (Mayer)/A.7708 (Otis):** This bill would expand the flexibility of small city school districts in choosing a date for their annual school board reorganizational meeting by allowing them to hold such meetings at any time during the first 15 days in July.

**\*S.5812 (Kaplan)/A.842 (Simotas):** This bill would require state agencies proposing regulations that affect school districts and other local governments to assess the amount of time it would take to comply with the proposed regulations.

**S.6208 (Jackson)/A.7749 (O'Donnell):** This bill would require the New York City Department of Education (NYC DOE) to include employee protection provisions (EPPs) in its solicitation for transportation contracts. Such EPPs include preservation of wages, health, welfare and retirement benefits.

**NYSSBA opposed bills that have passed both houses and are awaiting final action by the Governor:**

**S.218-B (Benjamin)/A.6971-B (Taylor):** This bill would require anaphylactic policies for child care services and mandate that school districts that do not currently have a policy put one in place and review those policies every 3 years.

**S.2394 (Breslin)/A.3552 (Cusick):** This bill would change the definition of substantial completion with regard to school construction projects. This would make it more difficult for a district to hold retainage (payment) for the project until it is fully completed.

**S.4070-B (Biaggi)/A.2577-B (Dinowitz):** This bill would require all public school students in grades K-8 receive instruction in the prevention of child sexual exploitation and child sexual abuse.

**S.5285-A (Brooks)/A.1093-B (Paulin):** This bill would authorize school districts to provide up to five days of paid leave for health related services for combat veterans. The five days would be in addition to any leave previously negotiated in a benefit package.

**S.5831 (Gounardes)/A.7502 (Abbate):** This bill extends for two years the ability of public employees to pursue an expedited method of injunctive relief for claims of improper labor practices.

**S.5905-A (Gounardes)/A.7874-A (Abbate):** This bill would require all paraprofessionals in the NYC school system to become members of the NYC Teachers' Retirement System.

**Local Bills that Passed Both Houses with NYSSBA Support - Awaiting Final Action by the Governor:**

**S.644-A (Boyle)/A.8293 (Garbarino):** This bill would provide building aid forgiveness to the Islip Union Free School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.948 (O'Mara)/A.505 (Lifton):** This bill would allow the Ithaca City School District to establish a health insurance reserve fund.

**S.1012 (Metzger)/A.5000 (Gunther):** This bill would allow the Middletown City School District to establish a health insurance reserve fund.

**S.1239-A (Serino)/A.4069 (Barrett):** This bill would provide building aid forgiveness to the Spackenkill Union Free School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.1732 (Jacobs)/A.8139 (Ryan):** This bill would allow the Frontier Central School District to establish a health insurance reserve fund.

**S.1733 (Jacobs)/A.8312 (Morinello):** This bill would allow the Grand Island Central School District to establish a health insurance reserve fund.

**S.1735 (Jacobs)/A.3629 (Schimminger):** This bill would allow the Kenmore-Town of Tonawanda Union Free School District to establish a health insurance reserve fund.

**S.1736 (Jacobs)/A.3628 (Schimminger):** This bill would allow the Tonawanda City School District to establish a health insurance reserve fund.

**S.1777 (Skoufis)/A.7056 (Jacobson):** This bill would provide building aid forgiveness to the Chester Union Free and Newburgh Enlarged City School Districts and allow the districts to retain building aid that is slated to be recaptured by the state due to the late filing of final cost reports for approved building projects.

**S.1877 (Mayer)/A.2518 (Otis):** This bill would allow the Mamaroneck Union Free School District to establish a health insurance reserve fund.

**S.2459-A (Akshar)/A.5483-A (Lupardo):** This bill would extend bonding authority for the Binghamton City School District for certain school construction projects.

**S.2611 (Metzger)/A.3666 (Gunther):** This bill would provide building aid forgiveness to the Roscoe Central School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.2685 (Mayer)/A.123 (Buchwald):** This bill would allow the Bedford Central School District to establish a health insurance reserve fund.

**S.2976 (Gaughran)/A.4771 (Stern):** This bill would provide building aid forgiveness to the Huntington Union Free School District and allow the district to retain building aid that has been recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.2977 (Gaughran)/A.4944 (Stern):** This bill would provide the Cold Spring Harbor Central School District with transportation aid forgiveness and allow the district to receive transportation aid that would otherwise be withheld by the state due to a minor clerical error upon submission of a transportation contract.

**S.4196 (Jackson)/A.6294-A (Weinstein):** This bill would allow for variations to generally accepted accounting principles with regard to the New York City budget and financial accounts.

**S.4333 (Metzger)/A.6331 (Gunther):** This bill would provide building aid forgiveness to the Monticello Central School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.4949-A (Harckham)/A.7129-A (Byrne):** This bill would provide building aid forgiveness to the Mahopac Central School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.4957 (Seward)/A.7499 (Miller):** This bill would provide the Schenevus Central School District with a spin up of state aid payments to stabilize the district's finances.

**S.5152 (Ritchie)/A.7228 (Barclay):** This bill would provide the Fulton City School District with transportation aid forgiveness and allow the district to receive transportation aid that would otherwise be withheld by the state due to a minor clerical error upon submission of a transportation contract.

**S.5649 (Gallivan)/A.7762 (Byrnes):** This bill would provide building aid forgiveness to the Mount Morris Central School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.5794-A (May)/A.6773-A (Stirpe):** This bill would provide building aid forgiveness to the Liverpool Central School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**S.5946-B (May)/A.7914-A (Magnarelli):** This bill would provide for the establishment of the Syracuse City School District Regional STEAM High School to serve students in the Syracuse City School District as well as students in the Onondaga, Cortland and Madison County BOCES and Central New York region with expanded learning opportunities in the areas of science, technology, engineering, arts and mathematics (STEAM).

**S.6201 (O'Mara)/A.7829 (Palmesano):** This bill would provide the Corning City School District with transportation aid forgiveness and allow the district to receive transportation aid that would otherwise be withheld by the state due to a minor clerical error upon submission of a transportation contract.

**S.6319 (Liu)/A.7044 (Benedetto):** This bill would extend the Wicks Law exemption for the New York City School Construction Authority.

**S.6365 (Gallivan)/A.5442 (Goodell):** This bill would provide building aid forgiveness to the Panama Central School District and allow the district to retain building aid that is slated to be recaptured by the state due to the late filing of the final cost report for approved building projects.

**NYSSBA supported local bills that have passed one house:**

**S.1734 (Jacobs)/A.7546 (Burke):** This bill would allow the Orchard Park Central School District to establish a health insurance reserve fund. This bill passed the Senate.

**NYSSBA supported bills that passed one house:**

**\*A.6594 (D'Urso):** This bill would direct NYSED to establish a regional secondary school advisory council to make recommendations regarding the establishment of such schools. This bill passed the Assembly.

**S.252 (Kennedy)/A.6377 (Woerner):** This bill would allow school districts to put local/regional preferences in bids for agricultural products and food services. This bill passed the Senate.

**S.1534 (Kennedy):** This bill would force the state to provide funding to school districts with a certain percentage of tax exempt property in their district. This bill passed the Senate.

**S.1658-A (Skoufis)/A.6253-A (Paulin):** This bill would allow school district elections to be held in any building owned or leased by the district. This bill passed the Senate.

**S.1983 (Savino):** This bill would prohibit sex offenders whose victim was a child and level 3 sex offenders from being within 1,000 feet from a prekindergarten or kindergarten building. This bill passed the Senate.

**S.3269 (Lanza)/A.4892 (Cusick):** This bill would expand the existing Health Care and Wellness Education and Outreach Program within the New York State Department of Health to provide educational materials and outreach programs on symptoms for preventing sudden cardiac arrest among student athletes. This bill passed the Assembly.

**S.3663 (Carlucci)/A.2432 (Fahy):** This bill would provide the NYS Public Service Commission with jurisdiction to monitor Internet Service Providers (ISPs) in New York and require them to hold ISPs to equitable practices that guarantee net neutrality protections to end users. This bill passed the Assembly.

**S.3739 (Parker)/A.1151 (Gottfried):** This bill would authorize the commissioner of health to make grants to be used to help pay for the costs of conducting local blood drives. This bill passed the Assembly.

**S.3875 (Mayer)/A.1543 (Woerner):** This bill would provide reimbursement to any school district conducting a reorganization study. This bill passed the Senate.

**S.4134 (Skoufis)/A.6378 (Gunther):** This bill would allow retired firefighters to be employed as fire science instructors by career and technical education centers without reduction of their retirement benefits. This bill passed the Senate.

**S.4521 (Kaplan)/A.7849 (Thiele):** This bill would allow a retired police officer to be employed as a school resource officer with a salary up to \$65,000, to be eligible to continue to receive their full retirement benefit. This bill passed the Senate.

**S.5122-A (Gaughran)/A.7786 (Stern):** This bill would prohibit successful tax certiorari challenges by the Long Island Power Authority (LIPA) from being applied retroactively against school districts and other local governments, in the form of relief for prior years. This bill passed the Senate.

**S.5719 (Jackson)/A.7242 (Fahy):** This bill would allow school boards to adopt resolutions to transport students who live within the transportation mile limits to school if they live in a violent area or an area with many vacant buildings. This bill passed the Senate.

**S.5808 (Montgomery)/A.8355 (Arroyo):** This bill would establish a task force on educator diversity in New York State. This bill passed the Senate.

**S.6062 (Brooks)/A.7850 (Jean-Pierre):** This bill would authorize school districts to lease property outside of the district in cases of extenuating circumstances. This bill passed the Senate.

**NYSSBA opposed bills that have passed one house:**

**S.179 (Serrano):** This bill would require public school districts to report on compliance with art education instruction requirements. This bill passed the Senate.

**S.1913 (Gaughran)/A.6712 (Stern):** This bill would authorize school districts to provide a property tax exemption to volunteer firefighters who reside in the district but provide volunteer services in a

neighboring municipality. NYSSBA requested the state fund the exemption. This bill passed the Senate.

**S.2570 (Bailey):** This bill would increase the property tax exemption school districts are authorized to offer for properties with two resident qualified veterans. NYSSBA requested the state fund the exemption. This bill passed the Senate.

**S.2900 (Kaplan)/A.49 (Cahill):** This bill would authorize school districts to offer a property tax exemption for energy efficient and environmentally-friendly neighborhood development. NYSSBA requested the state fund the exemption. This bill passed the Senate.

**S.3447 (Stavisky)/A.4247 (Weprin):** This bill would require school districts to provide absentee ballots in braille upon the request of any voter who is blind or visually impaired. This bill passed the Senate.

**S.4008-C (Mayer):** This bill would require all high schools to have a student government as one of their extracurricular activities. This bill passed the Senate.

**S.5394-A (Jackson)/A.7744-A (Epstein):** This bill would require NYSED to notify parents that they may opt their kids out of 3-8 state assessments. This bill passed the Senate.