



## 2020 NYSSBA End of Session Advocacy Summary

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

The following is a summary of notable legislation supported or opposed by NYSSBA that was acted upon by the legislature this year. A summary of the enacted state budget can be found [here](#).

**NYSSBA supported bills that have been signed by the Governor as of 12/10/20:**

**Chapter 107 of the Laws of 2020 - S.7996-B (Carlucci)/A.10189-A (Ortiz):** This law prevents financial penalties for school districts that were unable to meet the 180 instructional day requirement due to closures in response to the novel coronavirus, COVID-19.

**Chapter 124 of the Laws of 2020 - S.8416 (Metzger)/A.10404-A (Rosenthal):** This law includes audio-only telephone communications as an acceptable telehealth modality, allowing providers to be reimbursed for delivering such services.

**Chapter 157 of the Laws of 2020 - S. 8417 (Kreuger)/A. 10492 (Thiele):** This law expands the available options for financial relief for municipalities by authorizing school districts and other municipalities to spend, or temporarily transfer, reserve funds for expenses related to the COVID pandemic, including capital reserve funds for capital expenses, which shall be required to be reimbursed proportionately over the following five fiscal years; to include an extended rollover period, 7 years, for bond anticipation notes issued between 2015 through 2021; and authorizing interfund advances for COVID pandemic related expenses to be repaid by the close of the succeeding fiscal year.

**Chapter 246 of the Laws of 2020 - S.8057 (Akshar)/A.10106 (Lupardo):** This law authorizes the Binghamton City School District to establish a health insurance reserve.

**Chapter 265 of the Laws of 2020 - S.8748 (Mayer)/A.10674-A (Otis):** This law amends the requirement that employers provide written notice before implementing mass layoffs to include a requirement to notify all localities, including school districts, in the state where the employer pays taxes in the current or previous year and each in which the owner has a place of business in which the locality provides emergency services.

**Chapter 281 of the Laws of 2020 - S.8535 (Thomas)/A.10573-A (McDonough):** This law authorizes the town of Hempstead, on behalf of the Levittown Park District and the Levittown School District, to swap land parcels.

**Chapter 317 of the Laws of 2020 - S.3679-A (Harckham)/A.3330-A (Abinanti):** This law establishes a real property tax exemption task force to examine real property tax exemption laws and recommend changes, if any, to those laws.

**NYSSBA supported local bills that have been vetoed by the Governor:**

**S.7034 (Borrello)/A.8926 (Goodell):** This bill would have provided building aid forgiveness to the Panama Central School District and allowed 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.7037 (Gaughran)/A.8896 (Stern):** This bill would have provided the Cold Spring Harbor Central School District with transportation aid forgiveness and allowed 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.7038 (Gaughran)/A.8898 (Stern):** This bill would have provided building aid forgiveness to the Huntington Union Free School District and allowed 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.7370 (Metzger)/A.10594 (Gunther):** This bill would have provided building aid forgiveness to the Monticello Central School District and allowed 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.7775 (Ritchie)/A.9951 (Barclay):** This bill would have provided the Fulton City School District with transportation aid forgiveness and allowed 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.8021 (May)/A.9922 (Stirpe):** This bill would have provided building aid forgiveness to the Liverpool Central School District and allowed 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.8530 (Carlucci)/A.9802-A (Jaffee):** This bill would have provided building aid forgiveness to the Pearl River 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.

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

**S.8014-C (Harckham)/A.10193 (Abinanti):** This bill would require that the state continue to fund special act schools even if they need to close due to coronavirus.

**S.8805 (Metzger)/A.6679-C (Ryan):** This bill would require the Public Service Commission to study the availability, affordability and reliability of high-speed internet and broadband access in New York State, and work with internet service providers to prioritize broadband access to

communities that have experienced negative economic and social impacts due to absent or insufficient service.

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

**S.5140-B (Kavanagh)/A.6787-D (Wallace):** This bill would disallow school districts from utilizing biometric identifying technology until SED issues a report outlining restrictions and guidelines for such technology. For districts who have already had this technology approved as part of their Smart Schools Bond applications, this legislation would strip them of authority they were previously granted. SED recently strengthened the state's data privacy and security regulations in January 2020 to protect personally identifiable information for students. Any technology systems currently in place must adhere to these newly adopted regulations.

**S.7664 (Breslin)/A.9117 (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. 8138-B (Martinez)/A. 10252-A (Stern):** This bill would allow local taxing entities to defer property tax payments or to separate them into installments due to COVID-19. This bill, in its current form, would make budgeting difficult for school districts in an already challenging fiscal climate.

**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.1347 (Serino)/A.7119 (Benedetto):** This bill would require the smart schools review board to meet at minimum once every three months and to further announce the date for a subsequent meeting. This bill passed the Assembly.

**S.3269 (Lanza)/A.4892 (Cusick):** This bill would require the Department of Health to conduct education and outreach programs and make materials available to consumers, patients and educators addressing the prevention of sudden cardiac arrest. This bill passed the Assembly.

**S.3739 (Parker)/A.1151 (Gottfried):** This bill would make grants available to school districts for conducting local blood drives. This bill passed the Assembly.

**\*S.5122-A (Gaughran)/A.7786 (Stern):** This bill would limit tax certioraris and other judgements against school districts and municipalities, originating from assessment challenges related to the Long Island Power Authority. 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 those students live in a violent area or an area with many vacant buildings. This bill passed the Senate.

**\*S.5808-A (Montgomery):** 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 allow a school district to enter into a lease agreement for a facility that is beyond that district's boundaries. This bill passed the Senate.

**\*S.6537 (Montgomery)/A.7501 (Benedetto):** This bill would codify early college high school programs into law to ensure guaranteed funding and longevity to such programs, as long as they meet certain benchmarks. This bill passed the Senate.

**\*S.6930 (Krueger)/A.9655 (Galef):** This bill would prohibit any public school buildings from being designated as early polling locations. This bill passed the Senate.

**\*S.7635 (Liu):** This bill would require the State Education Department, in consultation with other state agencies and departments, to develop guidelines for school districts, BOCES and other educational institutions to develop local "Grow Your Own" programs. These programs are used to attract, recruit, prepare and develop underrepresented candidates into the teaching profession. This bill passed the Senate.

**\*S.7642 (Jackson)/A.9730 (Hyndman):** This bill would require the State Education Department to convene statewide and regional meetings to bring together underrepresented educators to discuss experiences, best practices, mentorship opportunities and other supports. This bill passed the Senate.

**\*S.7647 (Persaud):** This bill would create an underrepresented teacher recruitment and retention program and provide grants to school districts with the goal of attracting and retaining underrepresented teachers in underrepresented schools. This bill passed the Senate.

**S.7859 (Comrie)/A.1864 (Abinanti):** This bill would ensure that school districts are not charged more for voting systems than the actual expenses the local board of elections would incur for lending such systems. This bill passed the Assembly.

**\*S.8623 (Mayer)/A.10834 (Benedetto):** This bill would authorize special act school districts to establish fiscal stabilization reserve funds. This bill passed the Senate.

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

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

**S.6880 (Gallivan)/A.9812 (Wallace):** This bill would authorize the Depew Union Free School District to establish a health insurance reserve fund. This bill passed the Senate.

**S.7131 (Harckham)/A.9801 (Galef):** This bill would authorize the Carmel Central School District to establish a health insurance reserve fund. This bill passed the Senate.

**\*S.7587 (Skoufis)/A.10170 (Jacobson):** This bill would allow boards of education in Orange County to establish wards for the purpose of school board elections. This bill passed the Senate.

**S.8545 (May)/A.10789 (Hunter):** This bill would authorize the Liverpool Central School District to establish a health insurance reserve fund. This bill passed the Senate.

**S.8585-A (May)/A.10757 (Stirpe):** This bill would authorize school districts to use school transportation aid to pay for the cost and expenses of transporting and delivering meals, homework materials and any other school materials to students during the COVID-19 pandemic. NYSSBA advocated for an amendment to add a catch-all provision that would include any other expenses incurred as a result of the pandemic, but such amendment was not ultimately included. This bill passed the Senate.

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

**S.1913 (Gaughran)/A.6712 (Stern):** This bill would authorize school districts to provide a property tax exemption to residents who provide volunteer fire or ambulance services in a different school district. The exemption would not be funded by the state and would therefore be absorbed by other property taxpayers within the district. This bill passed the Senate.

**S.2570 (Bailey):** This bill would provide for increased value of the alternative veterans' property tax exemption if two qualified veterans reside in the same home. The exemption would not be funded by the state and would therefore be absorbed by other property taxpayers within the district. This bill passed the Senate.

**S.3447 (Stavisky)/A.4247 (Weprin):** This bill would require absentee ballots for school district elections to be made available in braille, upon request of visually impaired individuals. This costly proposal did not include a funding provision. This bill passed the Senate.

**S.5544-A (Ramos)/A.2479-A (Dinowitz):** This bill would prohibit employers from requesting that an employee or applicant provide a username, password, or other means for accessing a social media account. This bill passed the Assembly.