

2019-2020 Final Budget Analysis Executive/Senate/Assembly Budget Proposals

Topic	Executive Proposal	Senate Proposal	Assembly Proposal	Final Budget	NYSSBA Analysis
<p>State Aid</p>	<p>The Executive proposes an education funding increase of nearly \$1 billion over 2018-19 levels. More applicable to school districts, the proposal includes a \$748 million increase in traditional formula-based school aid. Within that amount, the budget proposal would provide a \$338 million (1.9%) increase in Foundation Aid, of which \$50 million would be restricted for an increase in the Community Schools set-aside. The proposal includes full-funding of expense-based aids, resulting in approximately \$410 million over the previous year. The almost \$1 billion figure also includes \$157 million in what is designated as a “fiscal stabilization fund,” without any details about possible distribution formula(s). The proposal further includes a revised school aid growth index, which would tie growth in statewide school aid to a ten-year rolling average of the annual growth in personal income. Under current law, the growth index is based on the annual growth in personal income. The 2019-20 Executive budget uses this new index.</p>	<p>The Senate proposes an increase in total school aid of \$1.62 billion, or more than 6%, over 2018-19 aid levels. The Senate rejects the Executive’s proposal to move the personal income growth index cap on state aid from a one-year calculation to a ten-year rolling average.</p>	<p>The Assembly proposes an increase in total school aid of approximately \$1.6 billion, or 6.3%, over 2018-19 aid levels. The Assembly accepts the Executive’s proposal to transition the personal income growth index cap on state aid from a one-year calculation to a ten-year rolling average. However, the Assembly amends the proposal to have the change take place in 2020-21, instead of 2019-20, as the Executive proposed.</p>	<p>The final budget includes an increase in education funding of more than a billion dollars over 2018-19. Specifically, the budget includes an additional \$961 million in traditional formula-based school aid, an increase of 3.6%. This increase is comprised of \$618 million in new Foundation Aid and more than \$342 million in additional expense-based and other categorical aids. Total formula-based school aid is now projected to be more than \$27.3 billion in 2019-20.</p>	<p>NYSSBA advocated for an increase of \$2.2 billion in education funding in order to address the rising student need districts are facing statewide. While this allocation is significantly lower than what was requested, the final budget increases formula-based school aid by more than \$200 million above the Executive’s proposal. The increase should be considered in combination with some of the NYSSBA priorities and cost savings that were incorporated in the final budget.</p>

<p>Foundation Aid</p>	<p>The Executive budget provides a \$338 million increase in Foundation Aid, bringing the statewide total to \$18.1 billion. As in previous years, the proposed increase is based on a one-time distribution formula and not on a renewed phase-in of the statutory formula. All districts would receive an increase, with a minimum 0.25% above 2018-19 levels. Additional tiers of the formula focus on district wealth and student need. The formula would provide slightly larger increases to districts that are underfunded, based on the statutory Foundation Aid formula.</p>	<p>The Senate proposal would increase Foundation Aid by \$1.2 billion over 2018-19, representing a more than \$800 million increase over the Executive proposal. The proposal would also establish the use of “direct certification” data as a more accurate student need measurement. The Senate also proposes a plan to fully phase-in Foundation Aid by 2022-23.</p>	<p>The Assembly proposes a \$1.16 billion increase in Foundation Aid - an amount \$823 million more than the Executive. The additional aid would be distributed using a one-time formula with multiple tiers. According to the proposal, this would guarantee all districts at least 53% of their Foundation Aid formula amount. The proposal would also establish the use of “direct certification” data, as a more accurate student need measurement. The Assembly proposes to fully phase-in Foundation Aid by 2022-23.</p>	<p>The final budget includes a \$618 million increase in Foundation Aid over 2018-19, adding nearly \$300 million to the Executive’s Foundation Aid proposal. All districts would be guaranteed a .75% minimum increase. The additional Foundation Aid will be distributed using ten mini-formulas, which account for factors such as student poverty, district wealth, general enrollment and ELL growth and small city school district status, instead of using the statutory Foundation Aid formula. The final budget also does not include a plan to fully phase in the Foundation Aid formula.</p>	<p>NYSSBA called for a \$1.4 billion Foundation Aid increase and a commitment to fully phase in the formula over three years, while making needed adjustments to the formula. While this is far less than hoped for, the Foundation Aid increase in the final budget is a significant increase over the Executive’s proposal, especially given the multi-billion dollar projected revenue gap that emerged in the final weeks of negotiations. The final budget increase still leaves the state \$3.4 billion below full-funding and NYSSBA will continue to work toward both phase in and common sense updates to the formula.</p>
<p>School Aid Redistribution Plan</p>	<p>The Executive has proposed a new school-based spending plan requirement that would prescribe the level of funding provided to some schools within certain districts. For districts that were required to report school-based budget plans to the state in 2018, a portion of certain districts’ proposed Foundation Aid increases could be required to be spent in similar-type schools within those districts (ex. elementary, middle, high) that are “significantly low funded” and “significantly high need,” based on the Executive budget’s proposed definition of those terms. Impacted school districts would be required to obtain approval of spending plans from the State Education Department by the beginning of</p>	<p>The Senate rejects the Executive proposal to mandate school districts to redistribute school aid among their buildings.</p>	<p>The Assembly rejects the Executive proposal to mandate school districts to redistribute school aid among their buildings.</p>	<p>The final budget modifies the Executive’s Foundation Aid redistribution proposal (dubbed by the Governor an “equity” plan). Under the final agreement, school districts with similar-grade schools that are identified as “high need” and “underfunded” by the Division of the Budget will be required to submit a report to the State Education Department by September 1 of each year demonstrating how they plan to “effectuate” prioritizing funding equity in such schools. The state Division of Budget will be required to produce a list of impacted schools by May 1 of each year.</p>	<p>NYSSBA was opposed to the Executive’s funding redistribution proposal. The original version prescribed specific funding shifts among buildings within a school district. In addition, the Executive proposal defined “significantly underfunded” as 5% above the district’s per pupil spending average. While an additional reporting requirement was not needed by school districts, it is vastly preferred to a loss of local decision making around budgeting. In addition, the change in definition of an “underfunded” school to 5% below (rather than above) the district’s per pupil spending average will capture far fewer schools and districts, and limit the scope of the new requirement.</p>

	the new school year. The proposal would eventually apply to all districts statewide, starting in the year after they would be required to submit school-based spending plans to the state, as enacted in the 2018-19 budget.				
Community Schools Set-Aside	The Executive budget includes a \$50 million increase in the Community Schools Foundation Aid set-aside. The increase would push the total set-aside to \$250 million statewide and would be directed towards districts with below average wealth and those with growing English language learner (ELL) student populations. The proposal would also provide for a minimum \$100,000 Community Schools set-aside for districts receiving an allocation, an increase over the current \$75,000 minimum.	The Senate accepts the Executive’s proposed increase to the community schools set-aside and restores flexibility in the use of the funds to include expenses that maximize student academic achievement.	The Assembly amends the Executive’s proposal by capping, both annually and in total, the amount of Foundation Aid that can be restricted for community schools. In addition, the proposal restores flexibility of the use of funds and adds trauma-informed supports to the list of allowable expenses.	The final budget includes a \$50 million increase to the community schools set-aside, bringing the total Foundation Aid restriction to \$250 million statewide. The minimum amount of funding for districts subject to the set-aside is increased from \$75,000 to \$100,000. The Executive’s proposal was modified to allow greater flexibility in use of the funds by including any expense that maximizes student academic achievement.	NYSSBA opposed the continuation and expansion of restrictions on the use of Foundation Aid, whether for community schools or any other purpose. The community school set-aside increase effectively reduces the flexible Foundation Aid increase from \$618 million to \$568 million. NYSSBA is supportive of community school initiatives, but believes the state should create a new funding category to support such efforts, instead of restricting funds districts need to support existing programs and services.
Consolidation of Reimbursable Aid Categories	The Executive proposes full funding for expense based aids for 2019-20. However, the Executive also proposes the consolidation of multiple expense-based aids, including transportation, BOCES and instructional material aids into a single new “Services Aid” category starting in 2020-21. In addition to the consolidation, growth of the new aid category would no longer be tied to actual expenditures, but would instead be capped annually, based on district enrollment and inflation. This would effectively eliminate the reimbursement concept behind most school aid categories.	The Senate rejects the Executive proposal to consolidate 11 separate aid categories into a new block-grant aid known as “Services Aid.”	The Assembly rejects the Executive proposal to consolidate 11 separate aid categories into a new block-grant aid known as “Services Aid”.	The final budget rejects the Executive’s proposal to consolidate 11 reimbursement and categorical aids into a block grant.	NYSSBA opposed the Executive’s “Services Aid” proposal. The consolidated aid category, which would have begun in 2020-21, would have negatively impacted hundreds of school districts each year and could have effectively frozen aid for many districts for years.

Building Aid Adjustment	The Executive budget includes proposed changes to building aid for future school district construction projects. For some districts, the reimbursement ratio for approved project costs could be slightly decreased. In addition, the formula used to determine aidable costs for construction projects would be adjusted to restrict the allowance for costs “incidental” to the actual construction for the project.	The Senate rejects the Executive proposal to adjust and reduce building aid reimbursement ratios and to limit allowable costs for school construction projects.	The Assembly rejects the Executive proposal to adjust and lower building aid reimbursement ratios and limit the allowable costs for school construction projects.	The final budget rejects the Executive’s proposal to adjust and reduce building aid reimbursement rates for school districts’ construction projects. The final budget also rejects the proposal to restrict the aidability of certain “incidental costs” as part of school district construction projects.	NYSSBA opposed this proposal. Less state support for school district capital projects would have led to two possible outcomes - decreased investment in modernizing and improving facilities for students and/or increased costs for local taxpayers.
Property Tax Cap	The Executive proposal would make the property tax cap permanent, which is currently set to expire at the end of the 2020-21 school year.	The Senate accepts the Executive proposal to make the property tax cap permanent. No changes to the cap are proposed by the Senate.	The Assembly rejects the Executive proposal to make the property tax cap permanent and makes no other adjustments to the law.	The final budget makes the property tax cap permanent while making no other changes to the cap.	NYSSBA opposes the property tax cap, and opposed efforts to make it permanent. NYSSBA instead advocated for adjustments to the cap before any extension was considered. NYSSBA will continue to press for changes, including a minimum two percentage allowable growth factor, counting BOCES capital expenses as part of the capital exclusion, factoring properties under PILOT agreements into the tax base growth factor and eliminating negative caps.
BOCES DS Salary Cap Increase		The Senate includes a proposal to increase the BOCES district superintendent salary cap. This proposal would authorize BOCES boards to negotiate graduated increases with their superintendents.	The Assembly includes a proposal to increase the BOCES district superintendent salary cap. This proposal would authorize BOCES boards to negotiated graduated increases with their superintendents.	The final budget includes an increase in the BOCES district superintendent salary cap to 98% of the Commissioner of Education’s salary in 2013-14. BOCES boards will be authorized to negotiate increases of up to 6% per year, over the previous year annually, beginning with the 2019-20 school year until the new cap (approximately \$208,000) is reached.	NYSSBA supported the adoption of this provision as a part of the budget. Similar legislation was approved by the legislature last year but was vetoed by the Governor. This version sets a lower total cap than the vetoed legislation, but represents the first increase since 2003, and the second since the cap was adopted. This adjustment is significant not just because of the importance of increasing the cap to recruit and retain district superintendents, but because it restores a missing element of local

					control to BOCES boards around the state who have been denied the opportunity to negotiate with their CEOs for many years now.
TRS Reserve Fund		The Senate includes a proposal to allow school districts to create reserve funds for teachers' retirement system contributions.	The Assembly includes a proposal to allow school districts to create reserve funds for teachers' retirement system contributions.	The final budget includes authorization for school districts and BOCES to establish TRS reserve funds.	NYSSBA supported this initiative and its inclusion in the budget. This common sense adjustment will allow districts to set aside funds for pension contributions for the vast majority of their employees, including those who are generally the highest paid. For example, a portion of the savings that result when TRS contribution rates go down could now be set aside for use when the rate eventually increases in the future, smoothing costs for taxpayers.
Dual Enrollment				The final budget includes a provision that allows SUNY schools, including community colleges, to provide reduced or no cost credits to students who are in dual enrollment programs through their high school or BOCES.	NYSSBA supported this proposal. Codifying the authority of SUNY schools to enter into partnerships with high schools, many of whom have historically done so and determine locally what, if any, tuition and fees will be charged, allows local education leaders to work together to protect existing dual enrollment programs operating under this partnership model, and incentivizes the expansion of such programs.
Early College High Schools	The Executive budget includes an additional \$9 million to support the creation of at least 15 new Early College High School programs. The new grants would be targeted to serving students in schools with below average graduation rates and programs that lead to careers in public infrastructure or computer science.	The Senate modifies the Executive's proposed allocation of an additional \$9 million in competitive grants for early college high schools by reducing it to \$2 million.	The Assembly accepts the Executive's proposed allocation of an additional \$9 million in competitive grants for early college high school programs, but proposes they be limited to programs that lead to a career in computer science.	The final budget includes an additional \$9 million to support the creation of at least 15 new Early College High School programs. The new grants will be targeted to students in school districts with below average graduation rates and programs that lead to careers in computer science.	NYSSBA supported this appropriation to support the expansion of Early College High Schools and other programs that allow for students to earn college credit.

Annual Professional Performance Review (APPR)

The Executive proposal would eliminate the mandate to use 3-8 grade tests and other state exams and allow districts to select the state or an approved alternative assessment for use as a measure of student growth while eliminating the state growth model. As currently proposed, the student growth measure would still be required as an assessment and the district would be required to collectively bargain the assessment selection. This proposal would also make permanent the prohibition on state 3-8 test scores appearing as a part of a student's permanent record.

The Senate rejects the Executive proposal to make changes to APPR as a part of the budget; however, identical language was approved as a stand-alone bill by both houses. This legislation awaits delivery to the Governor.

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The final budget eliminates the mandate to use 3-8 grade tests and other state exams as the measure of student growth in APPR while also eliminating the state growth model. The student growth measure will still be required as an assessment and the district will be required to collectively bargain the selection of the assessments. Additionally, the prohibition on state 3-8 exam scores appearing as a part of a student's permanent record was made permanent.

NYSSBA sought amendments to this provision and the stand-alone bill on the same topic. While NYSSBA supported the elimination of the mandate to use the state assessments as the measure of student growth in APPR, this legislation did not go far enough to improve the existing APPR system. In addition, this statute may lead to an increase in student testing. NYSSBA recommended that the following amendments be made to this proposal: allow school districts to select the measure or measures of student performance including student portfolios, state assessments and local assessments approved by the State Education Department; remove the threat of state aid loss if a district does not have an annually approved APPR plan; eliminate the requirement to use independent observers in addition to principals and other administrators; restore the permissive use of currently prohibited evaluation elements such as lesson plans, other artifacts of teaching, and parent and teacher surveys; allow districts to differentiate the appropriate number and scope of observations conducted of tenured teachers with a track record of success and probationary teachers and tenured teachers who require more coaching; and allow districts to implement these local options at their discretion, without collectively bargaining these new flexibilities.

Transportation Piggybacking			The Assembly proposal would authorize school districts to participate in existing transportation contracts originally entered into by other districts, also known as “piggybacking.”	The final budget includes authorization for school districts to participate in existing transportation contracts originally entered into by other districts, also known as “piggybacking.”	NYSSBA supported granting such authority to school districts. Providing this option to districts is an important tool that will help create greater operational efficiencies and result in cost savings.
Building Condition Survey				The final budget includes language designating a staggered schedule for building condition surveys, allowing the surveys to be conducted over 5 years. Currently, all school districts are mandated to conduct their building condition surveys in the same year every 5 years. Moving forward, approximately one fifth of all school districts will conduct their building condition surveys each year.	NYSSBA supported this provision, as it will likely result in a cost savings to school districts who will face reduced competition for contracted staff who conduct such surveys.
Mayoral Control	The Executive proposal would extend mayoral control in New York City until June 30, 2022.	The Senate accepts the Executive proposal to extend mayoral control in New York City for an additional three years.	The Assembly accepts the Executive’s proposal to extend mayoral control in New York City for an additional three years.	The final budget includes a three year extension of New York City Mayoral Control through June 30, 2022, along with moderate changes to improve transparency and community engagement.	NYSSBA supported the extension of mayoral control in New York City.
Mandated Election Day Leave				The final budget includes a provision requiring all employers to provide each employee three hours of paid leave on election day(s) for all non-district elections. Employees are required to take such leave at the beginning or end of the work day. The employee must notify their employer of their intent to use this leave at least two days prior to the election. Previously, employees were only entitled to this leave if they did not have four consecutive hours before or after work while the polls were open, and the leave was limited to two hours.	While NYSSBA did not object to expanding this provision from two to three hours of paid leave, NYSSBA did oppose the expansion of eligibility to all employees. This paid leave, being offered outside the context of the collective bargaining process, should be available only to those employees who otherwise would not have adequate time to vote. By extending this entitlement to all employees, including classroom teachers, districts face the very real possibility of needing many substitute teachers on each election day. Since this is paid leave, this

					results in a financial cost to district taxpayers. Paid leave for public employees, including school districts, should be addressed in the context of collective bargaining.
Voting Reforms	<p>The Executive proposal includes language to authorize early voting in all special, primary and general elections, open for 12 days prior to these election dates.</p> <p>The Executive proposal would expand the current requirement to give all employees three hours of paid leave to vote.</p>	<p>The Senate rejects the Executive proposal regarding early voting; however, stand-alone legislation to implement early voting was adopted earlier this year.</p> <p>The Senate rejects the Executive proposal to increase the amount of paid leave employers must provide employees to vote and extend the entitlement to all employees. Current law limits the entitlement to employees without 4 hours before or after work while the polls are open.</p>	<p>The Assembly has not yet introduced an updated version of the Executive’s stand-alone bill dealing with Ethics, in which this proposal was included, so they did not speak to this specific proposal; however, stand-alone legislation to implement early voting was adopted earlier this year.</p> <p>The Assembly has not yet introduced an updated version of the Executive’s stand-alone bill dealing with Ethics, in which this proposal was included, so they did not speak to this specific proposal.</p>	<p>The final budget includes authorization for primary polling locations statewide to be open between the hours of 6:00am and 9:00pm, but excludes the Executive proposal to establish early voting and a merged primary day due to prior legislative action.</p>	<p>In January, the Governor signed into law stand-alone legislation authorizing early voting in all special, primary and general elections and establishing a single merged primary day in June. NYSSBA had no objection to the policies implemented as a result of the budget or stand-alone legislation. However, NYSSBA recommended additional reforms that would allow school districts to decline designation of their schools as polling places for all elections. When school buildings are used as polling sites, districts can be forced to abandon their security procedures and allow unfettered access to their buildings. Moreover, the new consolidated primary date occurs during Regents examination week. The effect these reforms could have on schools should be considered and addressed as a part of the voting reform conversation.</p>
Require the Use of Seatbelts on Buses	<p>The Executive proposal would require that students under the age of 16 wear seatbelts on school buses.</p>	<p>The Senate rejects the Executive proposal to require students on school buses to wear seatbelts.</p>	<p>The Assembly rejects the Executive’s proposal to require that students under the age of 16 wear seatbelts on school buses.</p>	<p>The final budget rejected the proposal to require students to wear seatbelts on school buses.</p>	<p>NYSSBA opposed this proposal, as most of the school buses in NYS are fitted with lap belts and guidance from safety experts, including the National Highway Traffic Safety Administration and New York Association for Pupil Transportation, continue to counsel against the use of lap belts on full-sized school buses, as it potentially increases the risk of injury in an accident.</p>

<p>Student Mental Health Services</p>	<p>The Executive budget would provide \$1.5 million to support enhanced mental health and school climate support services, specifically targeted to middle schools and junior high schools. According to the proposal, up to \$500,000 of this funding could be used to support a school mental health technical assistance center.</p>	<p>The Senate accepts the Executive’s proposed allocation of \$1.5 million to support enhanced mental health and school climate support services, specifically targeted to middle and junior high schools.</p>	<p>The Assembly adds \$2.5 million to the Executive’s proposed allocation of \$1.5 million to support enhanced mental health and school climate support services, bringing the total proposal to \$4 million, \$1 million of which would be for technical support centers. Funds would be specifically targeted to middle and junior high schools.</p>	<p>The final budget includes \$1.5 million to support enhanced mental health and school climate support services, specifically targeted to middle and junior high schools. Up to \$500,000 of this funding can be used to support a school mental health technical assistance center.</p>	<p>NYSSBA supports investments in student health and mental health services. However, while we are pleased with any investment, this allocation is likely inadequate to make a meaningful impact on mental health for students and school districts across the state. NYSSBA recommended a more significant investment through the creation of a new expense-based aid category as a last dollar financial support for districts providing health and mental health services.</p>
<p>Extreme Risk Protection Orders</p>	<p>The Executive proposal would grant individuals, including school officials, the authority to seek first a temporary and possibly a permanent extreme risk protection order against someone whom the petitioner believes to be a danger to him or herself or others. If such an order is granted, the individual would be prohibited from purchasing or possessing a firearm. Under such an order of protection, law enforcement would be authorized to remove existing firearms from the possession of the subject of the order.</p>	<p>The Senate rejects the Executive proposal because virtually identical legislation was signed into law earlier this year.</p>	<p>The Assembly rejects the Executive proposal because virtually identical legislation was signed into law earlier this year.</p>	<p>This provision, which was not included in the final budget due to prior legislative action, would have granted individuals, including school officials, the authority to seek first a temporary and possibly a permanent extreme risk protection order against someone whom the petitioner believed to be a danger to him or herself or others. If such an order were granted, the individual would be prohibited from purchasing or possessing a firearm.</p>	<p>This provision was excluded because earlier this year, the Governor signed into law stand-alone legislation (Chapter 19 of the Laws of 2019) that enacted a nearly identical proposal. Unlike the Executive’s initial proposal, the enacted legislation requires school personnel acting under this provision to seek written authorization from their school administrators prior to seeking such an order.</p>
<p>Division of Human Rights Jurisdiction</p>	<p>The Executive proposes expanding the jurisdiction of the Division of Human Rights to public school students.</p>	<p>The Senate accepts the Executive proposal to expand the jurisdiction of the New York State Division of Human Rights to public school students.</p>	<p>The Assembly rejects the Executive’s proposal to provide the New York State Division of Human Rights with oversight over public school students.</p>	<p>The final budget did not include an expansion of the jurisdiction of DHR to public school students.</p>	<p>NYSSBA had no objection to expanding the jurisdiction of DHR to public school students. This issue is addressed in a stand-alone bill that has passed both houses of the legislature and awaits delivery to the Governor.</p>
<p>Child Victims Act</p>	<p>The Executive proposes several measures that would expand the rights of victims of childhood sexual abuse. If enacted, the statute of limitations for criminal and civil</p>	<p>The Senate rejects the Executive proposal to expand the rights of victims of childhood sexual abuse; however, similar legislation was signed into law as a stand-alone bill</p>	<p>The Assembly excluded this provision from their proposal, as similar legislation was signed into law as a stand-alone bill earlier this session.</p>	<p>This proposal, which expanded the rights of victims of childhood sexual abuse, was excluded from the final budget due to prior legislative action.</p>	<p>Earlier this year, a version of this proposal (Chapter 11 of the Laws of 2019) was signed into law. NYSSBA had no objection to this proposal.</p>

	cases would increase. Under this proposal, civil claims could be filed by the victims until they are 50 years of age, for offenses that occurred before they were 18. The proposal would also eliminate the notice of claim requirement and establish a one year “look back” to revive cases for which the statute of limitations has expired.	earlier this session.			
Charter Schools	The Executive budget would provide an additional \$25 million in direct state support for charter schools in New York City. The budget also includes continued funding for school district reimbursement for increased supplemental basic tuition payments made by districts to charter schools.	The Senate accepts the Executive proposal to allocate an additional \$25 million in direct state support for charter schools in New York City. The proposal would also provide for a current year reimbursement for school districts outside of NYC for supplemental charter school tuition payments.	The Assembly proposal would make state reimbursement for charter school supplemental basic tuition a current year reimbursement in school districts outside NYC. The Assembly also rejects the Executive proposal for an increase of \$25 million in direct state support for the charter school industry.	The final budget provides an additional \$25 million in direct state support for charter schools in New York City.	NYSSBA opposed this proposal and urged legislators and the Executive to direct this funding to public school districts as Foundation Aid.
Funding for Non-public Schools	The Executive budget includes a 3.6% increase in state support for non-public schools. This funding would be used to reimburse non-publics for certain state-mandated services. The proposal also would provide non-publics with access to \$25 million in new funding for building safety and security, in response to attacks and other threats based on ideology, beliefs or mission. This funding would also be available to community centers and daycare centers.	The Senate accepts the Executive’s proposal to increase state support for non-publics by 3.6%. The Senate also accepts the Executive proposal to provide non-public schools access to \$25 million in funding for safety and security projects. Similar to the Executive’s proposal, the funding would also be available to certain community centers and daycare facilities.	The Assembly accepts the Executive proposal to increase state support for non-publics by 3.6%. The Assembly also accepts the Executive’s proposal to provide non-public schools access to \$25 million in funding for safety and security projects. Similar to the Executive’s proposal, the funding would also be available to certain community centers and daycare facilities.	The final budget provides non-public schools access to \$25 million in new funding for building safety and security in response to attacks and other threats based on ideology, beliefs or mission. This funding will also be available to community and daycare centers. The final budget also includes \$15 million for health and safety equipment for non-public schools.	NYSSBA opposed these proposals, and urged legislators and the Executive to direct this funding to public school districts as Foundation Aid. It is also worth noting that no additional school safety funds were provided for public school districts.
Pre-kindergarten	The Executive budget proposal includes an additional \$15 million for pre-kindergarten expansion for 3,000 three and four year olds in half and full-day programs. Similar to previous years, preference will be given to high-need districts that do not yet have a pre-kindergarten program and will focus on	The Senate modifies the Executive proposal to provide a five-year extension of the universal full-day pre-kindergarten program and provides an additional \$5 million for a total of \$20 million for expanded prekindergarten grants.	The Assembly amends the Executive’s proposal by making permanent the section of law that grants the state education department the authority to administer universal prekindergarten. In addition, the Assembly adds \$15 million to the Executive’s proposal of \$15 million	The final budget includes an additional \$15 million for prekindergarten expansion grants for 3,000 three- and four-year olds in half- and full-day programs. Similar to previous years, preference will be given to high need districts that do not yet have a prekindergarten program and	NYSSBA supports investments in high quality prekindergarten programs so that all communities can offer seats to their students and supported the proposal to make prekindergarten transportation aidable.

	including students in integrated or community-based settings. The proposal also continues to invest in QUALITYstarsNY, a system designed to help ensure pre-kindergarten programs are of the highest quality.		for new funding for prekindergarten expansion, bringing the total proposal to \$30 million for three and four year olds in half and full day programs. The Assembly proposal would also make prekindergarten transportation aidable.	will focus on including students in integrated or community-based settings. The final budget also continues the state's investment in QUALITYstarsNY. The final budget did not include authorization to make prekindergarten transportation aidable.	
School Bus Stop Arm Cameras	The Executive proposal would allow school districts to have stop arm cameras installed on buses and, after review by local law enforcement, issue tickets to violators who are photographed illegally passing school buses.	The Senate accepts the Executive proposal to allow school districts to have stop arm cameras installed on buses and, after review by local law enforcement, issue tickets to violators who are photographed illegally passing school buses, but modifies the proposal to make the purchase of the cameras eligible for transportation aid.	The Assembly rejects the Executive's proposal to allow school districts to have stop arm cameras installed on buses and, after review by local law enforcement, issue tickets to violators who are photographed illegally passing school buses.	The final budget rejected proposals to authorize school districts to install stop arm cameras on school buses.	NYSSBA had no objection to allowing school districts to install stop arm cameras, but had concerns about the executive proposal, which make it the responsibility of the district to act as the enforcement entity and issue tickets resulting from the cameras.
NYC School Zone Speed Cameras	The Executive proposal would extend the authorization for New York City to operate speed cameras in school zones for three years. The proposal would also increase the allowable number of speed cameras from 140 to 290.	The Senate rejects the Executive proposal to extend the authorization for New York City to operate speed cameras in school zones for three years.	The Assembly rejects the Executive's proposal to extend the authorization for New York City to operate speed cameras in school zones for three years.	The final budget rejected the Executive's proposal to extend the authorization for New York City to operate speed cameras in school zones for three years, due to prior legislative action.	NYSSBA supported the reauthorization of this program to enforce speed limits in school zones. A stand-alone bill (S.4331/A.6449) which reauthorized the use of speed cameras in school zones in the City of New York passed both houses of the legislature in March and awaits delivery to the Governor.
Healthy Relationship Instruction	The Executive proposes changes to the mandated health education instruction to include healthy relationship education instruction. Curriculum would include comprehensive sexual education, self-worth, teen dating violence, safe uses of technology and reporting of sexual harassment. Instruction would be required each year in grades 6-12. Details of the instruction would be further informed by a group of stakeholders and would require	The Senate accepts the Executive's proposed changes to increase mandated health education to include instruction in healthy relationships and comprehensive sexual education but limits the opt-out provisions to the sexual education and sexual health parts of the curriculum.	The Assembly rejects the Executive's proposed changes to increase mandated health education to include instruction in healthy relationships and comprehensive sexual education.	The final budget rejected proposed changes to increase mandated health education to include instruction in healthy relationships and comprehensive sexual education.	NYSSBA opposed this proposal. NYSSBA recognizes the importance of the issues addressed in this proposal; however, if enacted, this proposal would have imposed a curriculum and standards mandate that would have infringed on the autonomy of both the State Education Department and local boards of education throughout the state.

	school districts to notify students' parents and guardians of such instruction who would then be provided the opportunity to opt their children out of the program.				
Recovery High Schools	The Executive budget includes \$1 million in competitive grants for BOCES to establish recovery high schools. Such schools must offer safe and supportive learning environments for students diagnosed with or at risk of substance-use disorder	The Senate accepts the Executive's proposed allocation of \$1 million in competitive grants for the implementation of recovery high schools.	The Assembly accepts the Executive's proposed allocation of \$1 million in competitive grants for the implementation of recovery high schools.	The final budget includes \$1 million in competitive grants for BOCES to help facilitate the implementation of a recovery high school. Such schools must offer safe and supportive learning environments for students diagnosed with or at risk of substance-use disorder.	NYSSBA supported the provision which makes resources available for the establishment or continued support of existing recovery high schools.
After-School Programs	The Executive budget includes an additional \$10 million in after-school grants to expand such programs to an additional 6,250 students. Of this funding, at least \$2 million will be reserved for high need school districts on Long Island. In order for other districts to be eligible for the grant, they must either be located in a school district with high rates of homelessness, or located in a school district in an "at-risk" area, as defined by multiple state and local agencies. In addition, all of these new programs would need to agree to offer gang-prevention programming.	The Senate reduces the Executive's proposed allocation of an additional \$10 million in competitive grants for after-school programs to a proposal of \$2 million, and proposes limiting eligibility to Long Island school districts.	The Assembly accepts the Executive's proposed allocation of an additional \$10 million in competitive grants for after-school programs.	The final budget includes an additional \$10 million in after-school grants to expand such programs to an additional 6,250 students. Of this funding, at least \$2 million is reserved for high need school districts on Long Island. In order for other districts to be eligible for the grant, the school must be located in a school district with high rates of homelessness or an "at-risk" area, as defined by multiple state and local agencies. Grant recipients will be required to offer gang-prevention programming.	NYSSBA supported these proposals to provide more opportunities for all students to take advanced courses.
Advanced Courses	The Executive budget includes two allocations relating to advanced courses. Firstly, \$1.8 million has been proposed to subsidize the cost of Advanced Placement (AP) and International Baccalaureate (IB) exams for students eligible for free and reduced price lunch. Additionally, \$1 million would support advanced course access grants that could be used for	The Senate accepts the Executive's proposed allocation of \$1.8 million to subsidize the cost of Advanced Placement (AP) and International Baccalaureate (IB) exams for students eligible for free or reduced price lunch, but rejects the Executive's proposed allocation of \$1 million to support advanced course access grants for districts with very limited or no advanced	The Assembly accepts the Executive's proposed allocations of \$1.8 million to subsidize the cost of Advanced Placement (AP) and International Baccalaureate (IB) exams for students eligible for free or reduced price lunch and \$1 million to support advanced course access grants for districts with very limited or no advanced offerings.	The final budget includes two allocations for advanced courses; \$1.8 million to off-set the cost of Advanced Placement (AP) and International Baccalaureate (IB) exams for students eligible for free and reduced-price lunch, and \$1 million for advanced course access grants that can be used for teacher training, materials or equipment for digital learning in districts with no	NYSSBA supported these proposals to provide more opportunities for all students to take advanced courses.

	teacher training, materials or equipment for digital learning in districts with no or very limited advanced course offerings.	course offerings.		or very limited advanced course offerings.	
Regional STEM Magnet High Schools	The Executive proposes authorizing BOCES to establish STEM magnet high schools. After submission and approval of a plan, BOCES would be in charge of curriculum, grading and staffing, and would be deemed a school district for accountability purposes.	The Senate accepts the Executive proposal to authorize BOCES to establish STEM magnet high schools.	The Assembly rejects the Executive's proposal to authorize BOCES to establish STEM magnet high schools.	The final budget did not include authorization for BOCES to establish STEM magnet high schools.	NYSSBA supported this proposal which would have provided districts with a mechanism to provide enhanced academic programming for students while retaining their district autonomy.
Immigrant Student Support	The Executive proposes \$1.5 million in grants to support school districts with increased refugee and immigrant populations, including unaccompanied minors. At least a third of this funding would be directed to school districts on Long Island.	The Senate accepts the Executive's proposed allocation of \$1.5 million in grants to support school districts with increased refugee and immigrant populations.	The Assembly accepts the Executive's proposed allocation of \$1.5 million in grants to support school districts with increased refugee and immigrant populations.	The final budget includes \$1.5 million in grants to support school districts with increased refugee and immigrant populations, including unaccompanied minors. At least a third of this funding will be directed to school districts on Long Island.	NYSSBA supported this proposal to provide resources to districts that are facing increasing numbers of refugee and immigrant populations.
Restorative Justice	The Executive proposal would include \$3 million in alternative discipline grants. The grants would be directed to high need school districts or districts with a high number of student suspensions to implement approved alternative disciplinary models and practices.	The Senate rejects the Executive's proposed allocation of \$3 million in alternative discipline grants for high need school districts or districts with a high number of student suspensions.	The Assembly accepts the Executive's proposed allocation of \$3 million in alternative discipline grants for high need school districts or districts with a high number of student suspensions.	The final budget includes \$3 million in alternative discipline grants. The grants will be directed to high need school districts or districts with a high number of student suspensions to implement alternative disciplinary models and practices including restorative practices.	NYSSBA supported the inclusion of these resources to help districts improve school climate through alternative discipline practices including restorative practices.
Indemnification Against Agency Shop Challenges				The final budget includes a provision that seeks to indemnify public employers and unions from being forced to reimburse agency shop payers for fees the employee paid prior to the Supreme Court decision in Janus v. AFSCME, deeming agency shop fees unconstitutional.	NYSSBA is supportive of this provision which seeks to protect public employers, including school districts, from being forced to reimburse employees for payroll deductions the employer was legally authorized to make prior to the Janus decision.
Protection of Personal Information	The Executive proposal would make it an improper practice for public employers to release their employees' personal contact information. In addition, the	The Senate accepts the Executive proposal to prohibit public employers from releasing employees' personal contact information.	The Assembly proposal would accept this provision, which would prohibit public employers from releasing employees' personal contact information.	The final budget includes provisions that prohibit the release of public employees' personal contact information by their employers to third parties, and	NYSSBA had no objection to this proposal to provide privacy protections to employees.

	proposal authorizes the employee organizations to request an updated list of members of each collective bargaining unit once a quarter, unless otherwise specified in the collective bargaining agreement.			limit the number of times per year an employee's organization may request an updated list of members of each collective bargaining unit to once a quarter, unless otherwise specified in the collective bargaining agreement.	
School Resource Officers	The Executive proposes requiring school districts that contract with law enforcement (including school resource officers and private security) to establish written contracts or memoranda of understanding with the employing agency that clearly delineates the role of the security team to be limited to security. Student discipline would be identified in the MOU as under the sole purview of district administration.	The Senate accepts the Executive proposal to require that schools enter into contracts or memoranda of understanding with employed or contracted law enforcement, school resource officers or other safety personnel that would clearly delegate the role of student discipline to school administration and not safety personnel.	The Assembly rejects the Executive's proposals that schools establish written contracts or memoranda of understanding with employed or contracted law enforcement, school resource officers or other safety personnel that would clearly delegate the role of student discipline to school administration and not safety personnel.	The final budget requires school districts that contract with law enforcement (including school resource officers) and private security personnel, to establish written contracts or memoranda of understanding (MOUs) with the employing agencies. These MOUs must clearly delineate the role of security teams as limited to security and specify that student discipline is the sole purview of district administration.	NYSSBA had no objection to this provision, as only district personnel should take disciplinary action or enforce district policies.
Building and Transportation Aid Forgiveness		The Senate proposal would provide a new period of forgiveness to districts facing building aid and transportation aid penalties for clerical errors and omissions.	The Assembly includes proposals seeking forgiveness for select school districts facing state aid take backs due to the late filing of final cost reports or transportation contracts. The Assembly also proposes restoring the Commissioner of Education's authority to waive such takebacks in aid, if doing so would be in the educational interest of the students of the district.	The final budget did not include building or transportation aid forgiveness for school districts.	NYSSBA supported providing forgiveness to districts, their students and taxpayers, allowing them to maintain anticipated aid payments and avoid aid takebacks.
Funding for Special Act School Districts		The Senate proposes to increase the funding rate for special act school districts by four percent for 2019-20.	The Assembly proposes increasing the tuition rate for special act school districts by four percent for 2019-20.	The final budget did not include an increase in the tuition rate for special act school districts. However, the final budget did include an appropriation of \$250,000 to support activities related to the closure of the Abbot Special Act school district.	NYSSBA supported an increase in the tuition rate for special act school districts and will continue to fight for an increase through the administrative process. NYSSBA also supported the provision of funding to assist with the resolution of the Abbot close down.

<p>Policies to Support Pregnant and Parenting Students</p>	<p>The Executive proposal would require every school district to adopt and distribute a policy that specifically supports pregnant and parenting students. Such policies must include opportunities to make up missed classwork or to excuse absences due to pregnancy, childbirth or parenting.</p>	<p>The Senate rejects the Executive proposal that directs school districts to adopt policies to support pregnant and parenting students, including opportunities to make up missed classwork and excused absences due to pregnancy, childbirth or parenting.</p>	<p>The Assembly rejects the Executive’s proposal that directs school districts to adopt policies to support pregnant and parenting students, include opportunities to make up missed classwork and excused absences due to pregnancy, childbirth or parenting.</p>	<p>The final budget did not include a requirement for school districts to adopt and distribute policies supporting pregnant and parenting students.</p>	<p>NYSSBA had no objection to the expansion of these policies.</p>
<p>Minority and Women Owned Business</p>	<p>The Executive proposal would include school districts to those required to utilize minority and women-owned business enterprises (MWBE) for contract fulfillment. School districts would be responsible for establishing an appropriate goal of participation with MWBEs and making a good-faith-effort to reach that goal. If unable to meet the goals in a specific contract, districts may request a waiver.</p>	<p>The Senate rejects the Executive’s expansion of contract agency to include state funded entities including school districts.</p>	<p>The Assembly rejects the Executive’s proposal to expand MWBE requirements.</p>	<p>The final budget did not include any requirement to modify the state’s MWBE program to require school district participation.</p>	<p>NYSSBA did not support the proposed requirement for school districts to participate in the state’s MWBE program.</p>
<p>Smart Schools Bond Act</p>			<p>The Assembly proposes that the Smart Schools Review Board meet at least once every three months and that at each meeting they announce the date of their next meeting.</p>	<p>The final budget did not include a mandate for the smart schools review board to meet with greater frequency in order to speed up the approval process of districts’ applications.</p>	<p>NYSSBA supported requiring more frequent meetings of the smart schools review board in order to speed up the approval process of districts’ applications.</p>
<p>BOCES Reimbursable Salary Cap and Special Services Aid</p>		<p>The Senate proposes to increase the aidable cap on BOCES salaries for career and technical educators to \$50,000 by 2023-24. The proposal would also provide an increase in special services aid for non-component districts, including the Big 5.</p>	<p>The Assembly proposes to increase the cap on BOCES salaries eligible for aid. Under the plan, the increase would phase-in over multiple years, reaching \$52,000 in 2022-23. The Assembly proposal would also phase-in an increase in special services aid for non-component districts, including the Big 5.</p>	<p>The final budget did not increase the aidable salary cap for BOCES career and technical education (CTE) instructors or special services aid.</p>	<p>NYSSBA supported an increase in the BOCES CTE aidable salary cap and special services aid funding levels.</p>
<p>Net Neutrality</p>	<p>The Executive proposal would re-establish net neutrality practices in the state of New York by prohibiting state agencies from contracting with service providers</p>	<p>The Senate accepts the Executive proposal to prohibit state agencies from contracting with Internet service providers who do not comply with net neutrality</p>	<p>The Assembly rejects the Executive’s proposal to provide net neutrality protections to state agencies.</p>	<p>The final budget did not include any requirement for Internet service providers to comply with net neutrality principles.</p>	<p>NYSSBA supported the inclusion of required restoration of net neutrality principles.</p>

	who do not voluntarily comply with the practices.	practices, but also expands the scope to include municipalities and public libraries, but not school districts. The Senate further expands on the proposal by directing the New York State Public Service Commission to annually certify which broadband service providers doing business in the state adhere to net neutrality practices and make that information available to the public.			
Prior Year Adjustments	The Executive proposals includes \$18 million towards paying down the more than \$300 million in prior year claims.	The Senate proposal would offset potential district aid overpayment deductions by using funds owed to the same district on the prior year aid claims list.	The Assembly proposal would increase funding to pay prior year aid claims by redirecting aid overpayment deductions to increase the allocation above the \$18 million offered by the Executive.	The final state budget includes \$18.6 million to make payments to school districts on the state's prior year aid claims list.	NYSSBA supported increased funding to pay down the prior year claim list, including reprogramming of dollars recaptured from aid overpayments to school districts. The \$18.6 million included this year is identical to what has been appropriated in recent years.
STAR	The Executive has proposed multiple changes to STAR benefits and eligibility. Notably, for homeowners receiving the STAR exemption, the cap on annual growth in benefits would be lowered from 2% to 0%. In addition, the income eligibility limit would be lowered from \$500,000 to \$250,000. For homeowners receiving the newer STAR credit, the 2% benefit growth cap and \$500,000 income limit would remain unchanged.	The Senate rejects the Executive proposal to cap the growth of STAR benefits for taxpayers. The Senate also rejects the Executive proposal to restrict eligibility for the STAR program.	The Assembly rejects the Executive proposals to cap the growth of STAR benefits for taxpayers and restrict the eligibility for taxpayers to qualify.	The final budget includes the Executive's proposals to cap the annual growth in STAR benefits at 0%, down from 2%, as well as a reduction to the income eligibility threshold from \$500,000 to \$250,000. Both of these changes apply only to the property tax exemption benefit and not the state income tax STAR benefit.	NYSSBA did not take a position on these changes as they do not have a net impact on school district budgets. However, it is important for school districts to be aware of these changes in case questions are asked by taxpayers. Both changes act as an incentive to further transition homeowners from the STAR exemption to the STAR credit.
Building Based Budget Reports		The Senate proposes eliminating requirement for each district to submit building level budget reports as adopted last year, calling them unnecessary as ESSA building based expenditure reporting is about to begin.		The final budget did not include eliminating requirement for each district to submit building level budget reports as adopted last year.	NYSSBA supported this proposal.