



New York State School Boards Association

Better School Boards Lead to Better Student Performance

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May 29, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12244

Re: S.7996-B, Carlucci / A.10189-A, Ortiz

Amends the education law, in relation to the conditions under which districts are entitled to apportionments of state aid in response to COVID-19

Dear Governor Cuomo,

The New York State School Boards Association supports the above referenced legislation and urges your immediate approval.

This bill would prevent 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.

Under current law, school districts are required to hold at least 180 instructional days, or an hourly equivalent, between September 1 and Regents Rating Day in late June. If they fail to do so, they risk losing state aid. This year, however, proved to be quite exceptional. Governor Cuomo signed a series of Executive Orders requiring school districts close their physical buildings and holding districts harmless for state aid purposes in response to COVID-19. As a result, school districts will not face a penalty for closing if they have done so because of a statewide directive, or at the direction of state or local health officials. The waiver requires districts continue to provide remote instruction, meals, and childcare for essential workers.

This bill seeks to include the handful of districts that closed prior to those statewide or local orders, as they believed doing so was in the best interest of the public health and safety of their students and staff. The severity of COVID-19 has fluctuated around the state. Some communities experienced widespread outbreak before others. School districts should not be penalized for making a decision that may have saved lives.

At no cost to the state, this bill would prevent unnecessary financial penalties during what is already an incredibly challenging time.

For this reason, NYSSBA supports this legislation and urges your immediate approval. If you require additional information, please do not hesitate to contact Governmental Relations at (518) 783-0200.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Fessler". The signature is stylized and cursive.

Brian C. Fessler
Director of Governmental Relations

Cc:

Senator David Carlucci
Assemblymember Felix Ortiz
Stephen Heagle
Dan Fuller
Michael Mastroianni