30-day Amendments
Relating to P-12 Education

The Governor released 30-day amendments relating to P-12 education late on February 14, 2019. Below is an ASBO summary of changes, description released by the New York State Budget Division and links to bill language.

ASBO Summary

- The Governor’s proposal continues to exempt school aid from budget reductions that may occur if state revenue is low. School aid may be affected if federal funding is reduced by at least $850 million.

- Legislative action outside the budget process can have no significant fiscal impact without a process to identify funding.
  - The Executive’s Budget amendments introduced “pay-go” language to provide for the offset, through spending reductions and/or receipts increases, of bills that are adopted outside of the Budget and have a fiscal impact of at least $1 million. The Legislature could still act on bills with a significant fiscal impact; the language just ensures that there is a plan in place to maintain Budget balance.

- Equity plan legislation, if enacted, will occur regardless of any reductions that occur if revenue is low.

- An assortment of different competitive grants awarded since 2012 are re-appropriated and extended to March 31, 2020, correcting an oversight by updating the special lapse date embedded in the appropriation language (currently 3/31/19).

Aid To Localities Budget Bill
Senate 1503 and Assembly 2003

Section 1 of the Budget Bill
The amendments provide for two new sections:

- One section to complement FY 2020 Executive Budget provisions include with Article VII legislation that directs the Budget Director to implement uniform reductions to address shortfalls in tax receipts which reach or exceed $500 million, exempting school aid.
• One section that is designed to mitigate the financial impact of legislative action taken outside the enacted budget process.

EDUCATION DEPARTMENT
Office of Prekindergarten Through Grade Twelve Education Program

The amendments make various technical corrections, in addition to the changes described below:

• Amends the language for the General Support for Public Schools appropriation regarding School Funding Equity Plans in relation to the interaction between such plans and statutory budgetary requirements.

• Updates the lapse date of the School District Performance Incentive re-appropriation from March 31, 2019 to March 31, 2020.

• Updates the lapse date of the School District Management Efficiency re-appropriation from March 31, 2019 to March 31, 2020.

Amendments to Education, Labor and Family Assistance Article VII Bill

Senate 1506 Assembly 2006

Part A, relating to implementation of the 2019-20 Executive Budget School Aid proposal, is amended to:

• Clarify that “underfunded high-need schools” are defined in paragraph d of subdivision 3 of section 3614 of education law, not paragraph c.

• Specify that the School Funding Equity Plan language is “notwithstanding subdivision two of [section 3614 of education law],” in relation to the interaction between such plans and statutory budgetary requirements.

• Clarify that the Services Aid apportionment shall be equal to the product of the Services Aid base multiplied by the sum of “one and” the Consumer Price Index (CPI) for the current year “plus” the annual change in resident weighted average daily attendance, provided that such sum is not less than one. This change is necessary because CPI is defined in education law as the percentage change (e.g, 0.02 rather than 1.02).

• Include inadvertently repealed language related to state lottery support for deaf and blind schools, which is not impacted by the Services Aid proposal.