



*New York State Assembly*  
**2011 ANNUAL REPORT**

*committee on*  
**EDUCATION**

*Catherine Nolan*  
*Chairwoman*



*Sheldon Silver*  
*Speaker*

December 15, 2011

The Honorable Sheldon Silver, Speaker  
New York State Assembly  
State Capitol, Room 349  
Albany, New York 12248

Dear Speaker Silver:

I am pleased to present to you my sixth annual report as Chair of the Assembly Standing Committee on Education. It is an honor to serve as the Chair of this Committee and help our Majority advance education as our number one priority. The fiscal environment during 2011 was challenging; however, the Committee still made strides in improving educational opportunities for all New York students.

To prevent students across New York from losing access to vital educational programs, the Legislature restored \$230 million in cuts to education. To bolster the future educational prospects of our students, the 2011-12 state budget included a two-year appropriation for education funding that will increase funding by \$805 million in the 2012-13 school year.

The Assembly Majority also fought to avoid shifting costs to school districts. As a result, the state will not change the way it supports school building projects, reimburses transportation costs and aids shared services provided by BOCES. Additionally, we were able to avoid special education cost shifts by rejecting a proposal to reclassify the state supported schools for the Blind and Deaf and make school districts responsible for the state's share of summer school special education costs.

The Assembly passed several mandate relief measures that were signed into law. School districts now may provide transportation to students based on a pattern of actual ridership. This will enable school districts to rework their transportation plans based on the unique characteristics of each community. School districts will also be able to enter into contracts with other districts, municipalities and several other entities to provide regional transportation services. Additionally, we passed legislation that will allow small school districts to share superintendents which will help these school districts decrease administrative costs.

The Committee this year also reported several significant pieces of legislation that will protect the health of all students. The Committee reported the "Concussion Management and Awareness Act" which was signed into law. A.8194(Nolan)/Chapter 496 of the Laws of 2011 gives schools, parents and students the information they need to make informed decisions about mild traumatic brain injury, requires early intervention to protect students and establishes training protocols for school personnel. Also signed into law in 2011 was A.7230-A(Nolan)/Chapter 544 of the Laws of 2011 requiring that the New York City school district to inventory outdoor schoolyards and report about their current and future use. Schoolyards for physical education, recess and other school activities are critically important to the health and development of our children. The

Committee also reported A.4291(Robinson) that would require the State Education Department to develop youth suicide prevention programs to help teachers and other school personnel prevent suicide.

In May of 2011 the Committee convened a hearing to review the environmental quality of schools in New York State. At this hearing we received testimony relating to PCB levels in schools, leased spaces for school facilities, and green building designs and practices.

The Committee also held a roundtable about arts education in schools. The State Education Department, the New York City Department of Education and teachers of art, music and theater from across the state as well as education advocates discussed the importance of teaching students about the arts and made recommendations about support for arts education in our schools.

I thank you for your continued support and leadership in support of public education. I also thank the members of the committee for their hard work. The students of New York are our future and we must provide them with the resources and opportunities necessary to succeed in school, work and life. That must include the best education. I assure you that the committee will continue to work toward that goal in 2012.



Catherine Nolan  
Chair  
Committee on Education

**2011 ANNUAL REPORT  
NEW YORK STATE ASSEMBLY  
STANDING COMMITTEE ON EDUCATION**

**Catherine Nolan, Chair**

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Katherine Jederlinic, Committee Clerk  
Laura Inglis, Program and Counsel Executive Secretary

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## I. INTRODUCTION

The New York State Constitution states that, “[t]he Legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated” (Article 11, Section 1). This constitutional provision establishes the foundation for the areas of responsibility of the Assembly’s Standing Committee on Education.

The Committee is responsible for overseeing educational policies and programs affecting prekindergarten, elementary and secondary education for more than 3 million children attending both public and non-public schools. Within New York State, there are nearly 700 school districts, including the nation’s largest, the New York City School District, which enrolls over one million students. In addition, 37 Boards of Cooperative Educational Services (BOCES) provide occupational education, shared services, special education, and academic programs on a regional basis. The Committee also participates in the process for selecting persons to serve on the New York State Board of Regents.

The Committee works diligently to ensure that the public schools of this large and diverse State provide the range of opportunities that all students need to fulfill their potential. The Committee supports equitable funding and strengthening the quality of public education in the State.

During the 2011 Session, 505 bills were referred to the Education Committee. The Education Committee has broad jurisdiction reaching to all aspects of public education. This report provides a detailed examination of the Committee’s budgetary and legislative achievements in 2011.

## II. COMMITTEE ACTIVITIES AND ACHIEVEMENTS

### A. STATE BUDGET HIGHLIGHTS

The Legislature restored funding for General Support for Public Schools (GSPS) by \$230.55 million over the Executive's proposal for total GSPS of \$19.62 billion for the 2011-12 school year, a decrease of \$695.80 million from the 2010-11 school year. The vast majority of the restoration was achieved through modification of the Executive's proposed \$2.79 billion Gap Elimination Adjustment (GEA) through a Legislative restoration of \$229 million which focused on high and average-need school districts. The Legislature accepted the Executive's proposed two year appropriation for GSPS which will increase funding by \$805 million for the 2012-2013 school year. These funds will allow for a phase-in of the Foundation Aid formula, a reduction in the GEA, and the present law reimbursement of expense based aids and other programs in GSPS within a personal income growth cap.

The 2011-12 State budget allowed school districts to partially offset the GEA by giving them the authorization to transfer excess Employee Benefit Accrued Liability Reserve (EBALR) funds during 2011-12 school year for the purpose of maintaining educational programming. Boards of Cooperative Educational Services (BOCES) were also authorized to transfer excess EBALR funds to component districts. The GEA may also be partially offset in school districts that have funds remaining from the \$607 million Federal Education Jobs Fund that allowed school districts to support education jobs in the 2010-11 school year and the 2011-12 school year.

The following summary provides a brief description of the State Budget:

#### *Foundation Aid*

The Foundation Aid formula was established in the 2007-08 school year and acts as a mechanism to ensure that educational resources are distributed to schools in a transparent and equitable manner pursuant to the New York State Court of Appeal's *Campaign for Fiscal Equity* decision. The formula is based on the average cost of educating students, and is adjusted for regional cost differences, poverty levels, pupils with limited English proficiency and special education needs. In addition, the formula is based on enrollment rather than attendance.

The Legislature concurred with the Executive's proposal to maintain Foundation Aid at the same level of funding as the 2010-11 school year (\$14.89 billion). As mentioned above, a portion of the \$805 million increase in GSPS for the 2012-13 school year may be used to increase foundation aid in that school year.

#### *Early Childhood Education*

The Universal Prekindergarten (UPK) program continues to be a high priority for the Assembly Majority. Through providing high-quality early childhood learning opportunities to four-year old children for more than a decade, the UPK program has played a vital role in helping students meet higher educational standards and closing student achievement gaps at earlier grade levels.

The State budget for the 2011-12 school year continued UPK program funding by maintaining the prior year funding level of \$384 million and also provided for UPK funding to be maintained through the 2012-13 school year.

The Legislature increased funding for Full-Day Kindergarten to \$4.83 million, an increase of \$155,477 over the Executive's proposal and \$3.48 million over the 2010-11 school year.

### ***Teacher Programs***

The Legislature accepted the Executive's proposal to fund the Teachers of Tomorrow program at \$25 million, which is the same level of funding provided for the 2010-11 school year. This program was established to assist school districts in the recruitment, retention and certification necessary to increase the supply of qualified teachers in school districts with teacher shortages, especially low-performing schools. The program offers a variety of incentives, such as stipends and tuition reimbursement, to encourage prospective teachers to work in high-need areas.

The Legislature accepted the Executive's proposal to fund the Teacher Mentor Intern program at \$2 million, which is the same level of funding as the 2010-11 school year.

The Legislature restored funding for Teacher Resource and Computer Training Centers at \$20.44 million. The Legislature rejected the Executive's proposal to eliminate funding for the National Board for Professional Teaching Standards Certification program, and funded the program at \$368,000.

### ***Special Education***

The Legislature increased High Cost Excess Cost Aid to \$483.96 million, an increase of \$1.34 million over the Executive's proposal and \$21.46 million over the 2010-11 school year.

The Legislature increased funding for Private Excess Cost Aid to \$349.15 million, an increase of \$6.41 million over the Executive's Proposal and \$15.89 million over the prior year.

The Legislature accepted the Executive's proposal to fund Supplement Public Excess Cost Aid at \$4.31 million for 2011-12 and 2012-13 school years, which is the same level of funding as the 2010-11 school year.

The Legislature rejected the Executive's proposal to reclassify State Supported Schools for the Blind and Deaf as approved private schools for students with disabilities, including rejecting changes to the school's funding structure and the student appointment and evaluation process. The Legislature modified the Executive proposal to require school districts to pay tuition costs at the Blind and Deaf schools by requiring the state to fully reimburse school districts for these costs. At least 50 percent reimbursement must be provided in the same school year as the costs were incurred. The Legislature accepted the Executive's proposal to provide \$20 million in funding for debt service, residential costs of students, and for remaining allowances for the 2010-11 school year.



The Legislature rejected the Executive's proposed change in the reimbursement to school districts for summer school special education programs.

The Legislature accepted the Executive's proposal to increase Preschool Special Education Funding by \$56 million over the 2010-11 school year level for a total of \$869.9 million for the 2011-12 school year.

### ***BOCES Aid***

BOCES Aid provides aid to reimburse school districts that participate in BOCES shared educational programs and services. The 2011-12 State budget funded this aid category at its present law level of \$719.12 million, which is an increase of \$17.34 million over the 2010-11 school year.

The Legislature denied the Executive proposals which would create various modifications to BOCES Aid beginning in the 2012-13 school year including: changing the aid ratio for BOCES; reducing the minimum reimbursement to 10 percent; and removing certain non-instructional items from the list of BOCES services that are eligible for BOCES State Aid reimbursement.

The Legislature accepted the Executive's proposal to maintain BOCES Aid for Special Act Districts at the 2010-11 level of \$700,000.

### ***Special Services Aid***

The Legislature increased funding for Special Services Aid to its present law level of \$213.91 million, which is an increase of \$15,678 over the Executive's proposal and an increase of \$2.82 million over the 2010-11 school year.

### ***Building Aid***

The Legislature increased funding for Building Aid to its present law level of \$2.64 billion, which is an increase of \$4.64 million over the Executive's proposal and an increase of \$170.88 million over the 2010-11 school year.

The Legislature rejected the Executive's proposal to transform Building Aid from a reimbursable aid to a competitive grant program. The Legislature also rejected the Executive's proposal to remove energy performance contracts from the list of expenses eligible for a 10 percent Building Aid incentive.

The Legislature provided for increased funding for Reorganization Building Aid to its present law level of \$25.98 million, which is an increase of \$97,366 over the Executive's proposal and \$4.49 million over the 2010-11 school year. The Legislature provided for Reorganization Building Aid for eligible districts that have submitted plans to the Commissioner by July 1, 2010 as well as to all districts that have reorganized within the past ten years.

The Legislature accepted the Executive's proposal to modify the method for calculating the effective interest rate for Building Aid in order to better take into account certain federally authorized bonds. The Legislature also accepted the Executive's proposal to provide for a recalculation of Building Aid if a school district's building is sold or if ownership is transferred.

### ***Transportation Aid***

The Legislature modified the Executive's proposal and provided funding for Transportation Aid at its present law level of \$1.65 billion, which is an increase of \$75.30 million over the 2010-11 school year.

The Legislature denied the Executive's proposal to restrict the eligibility to receive State reimbursement for certain school bus purchases.

The Legislature accepted the Executive's proposal to extend the authority of school districts to lease school buses until September 1, 2013; however, the Legislature denied the Executive's proposal to restrict the ability for school districts to enter into school bus leases for longer than one year.

### ***Instructional Materials Aid***

The Budget provided present law funding levels for instructional materials aids for the 2011-12 school year:

- Textbook Aid: The Legislature modified the Executive's proposal to fund Textbook Aid at 181.86 million, which is an increase of \$715,000 over the 2010-11 school year.
- Computer Hardware Aid: The Legislature modified the Executive's proposal to fund Computer Hardware at \$37.80 million, which is a decrease of \$96,000 from the 2010-11 school year.
- Software Aid: The Legislature modified the Executive's proposal to fund Computer Software at \$46.15 million, which is an increase of \$960,000 over the 2010-11 school year.
- Library Materials Aid: The Legislature modified the Executive's proposal to fund Library Materials at \$19.33 million, which is an increase of \$138,000 over the 2010-11 school year.

The Legislature accepted the Executive's proposal to allow interchange among textbook, hardware, software, and library materials aid with the modification that aid specifically directed to library materials must be spent for that purpose.

### ***High Tax Aid***

The Legislature accepted the Executive's proposal to fund High Tax Aid at \$204.77 million for 2011-12 and 2012-13 school years, which is the same level provided for the 2010-11 school year.

### ***Nonpublic School Aid***

The Legislature funded Nonpublic School Aid at \$103.38 million for the 2011-12 school year, which is an increase of \$3 million over the Executive's proposal and the \$8.7 million decrease from the 2010-11 school year.

### ***Charter School Transition Aid and Charter School Tuition***

Charter School Transition Aid directs funding to the 15 school districts most impacted by charter school concentration based on either the district's charter school enrollment or the district's tuition payments to charter schools. The Legislature accepted the Executive's proposal to increase Charter School Transition Aid to \$25.11 million, an increase of \$1.89 million over the 2010-11 school year.

### ***Miscellaneous Aid***

The Legislature accepted the Executive's proposal to fund Employment Preparation Education (EPE) at \$96 million, which is the same level of funding as the 2010-11 school year. School districts and BOCES may operate an EPE program to provide services for persons aged 21 and older who have not received a high school diploma or its equivalent.

The Legislature accepted the Executive's proposal to fund education of Office of Mental Health and Office of People with Developmental Disabilities students at \$76 million, which is a decrease of \$4 million from the 2010-11 school year. The Legislature also funded Incarcerated Youth assistance at \$19.5 million and Homeless Pupils aid at \$17.23 million, which is an increase of \$750,000 and \$1 million respectively over the Executive's proposal.

The Legislature accepted the Executive's proposal to fund the School Lunch and Breakfast Program at \$33.10 million, which is an increase of \$800,000 thousand over the 2010-11 school year.

### ***Competitive Grants***

The 2011-2012 State budget provided for the establishment of two new competitive grant programs, the School District Management Efficiency Awards Program and the School District Performance Improvement Awards Grant, totaling \$500 million dollars to be distributed over a multi-year period beginning in disbursements in 2012-2013:

- **School District Management Efficiency Awards Program:** This program encourages school districts to implement long term management efficiencies that will result in significant cost savings. School districts that demonstrated management efficiencies within the previous two years are eligible to apply for this grant.
- **School District Performance Improvement Awards Grant:** This grant will award money to school districts that have demonstrated the most improved academic achievement gains and student outcomes, as well as having implemented strategies that have the

most potential for continued improvements in student performance, narrowing student achievement gaps and increasing academic performance in traditionally underserved student groups. Priority for the awards will be given to school districts whose programs benefit students having the greatest educational needs.

### *Contracts for Excellence*

Contracts for Excellence (Contract) was implemented beginning in the 2007-08 school year. School districts were required to prepare a Contract if they had at least one school that failed to meet federal or State academic benchmarks and if their increase in Foundation Aid equaled or exceeded \$15 million or 10 percent over the prior year. The 2011-12 State budget provided that any school district that filed a Contract in the 2009-10 school year, must file a Contract in the 2011-12 school year, unless all schools in the district are in good standing. As a result, in the 2011-12 school year, 23 school districts were required to prepare a Contract for Excellence. These school districts must maintain their previous Contract amount, reduced by the cumulative percentage amount of its net Gap Elimination Adjustment (GEA) for 2010-11 and 2011-12.

The Legislature also accepted the Executive's proposal authorizing school districts to allocate any unused 2009-10 school year Contract funds in the 2011-12 school year.

### **B. MANDATE RELIEF**

**A.8518, Lopez; Chapter 97 of the Laws of 2011** In addition to establishing a local government and school district property tax cap and extending New York City rent control provisions, this law contains several amendments that will reduce mandated costs and assist school districts in achieving savings:

- **Student Transportation:** Authorizes school districts to provide student transportation based on a pattern of actual ridership. This law will not reduce or relieve a school district's responsibility to provide transportation to eligible students or authorize school districts to have standing passengers on school buses. School districts that elect to provide transportation based upon patterns of actual ridership must place their plan on the school district's website, if one exists, and have a back up plan as part of their emergency management practices for student transportation in the event that a bus is filled beyond capacity.
- **Transportation Contracts:** Authorizes school districts to provide regional transportation services for students jointly with other school districts or BOCES. These services may include student transportation from home and school, from school and a special education program or service, for field trips and extracurricular activities, and may additionally include services for cooperative school bus maintenance. This law will also permit school districts to contract with another school district, municipality, county or the State Office of Children and Family Services to provide regional transportation services if it is cost appropriate.

- **Amortization of School Projects:** Allows school districts to commence assumed amortization, subject to Commissioner approval, when the district is unable to complete the final cost report due to circumstances beyond its control.
- **Shared Superintendents:** Authorizes school districts to enter into a shared superintendent contract with no more than two other school districts so long as each school district has an enrollment of less than one thousand students.
- **Claims Audit:** Authorizes school districts to establish the position of deputy claims auditor to serve in the absence of the claims auditor, therefore allowing the school district to meet its claims audit obligation without interruption. School districts are also permitted to delegate the claims audit function to one or more independent entities by using inter-municipal cooperative agreements, shared services through BOCES or independent contractors provided that the school district is responsible for auditing all claims for services provided by the delegated claims auditor.
- **Internal Audit:** Authorizes school districts with an enrollment of at least 10,000 students to use a risk-based or sampling methodology to determine which claims are to be audited instead of auditing all claims. The board of education may only authorize the risk-based or sampling methodology if it passes a resolution affirming that the chosen methodology provides reasonable assurance that all claims represented in the sample are proper charges against the school district.
- **Census:** Authorizes school districts to prepare a school census for pre-school students' birth to age five biennially as opposed to annually.

## C. HEALTH SERVICES & STUDENT SAFETY

**A.8194; Nolan; Chapter 496 of the Laws of 2011** Establishes the “Concussion Management and Awareness Act.” The law requires the Commissioner of Education, with the assistance of the Commissioner of Health, to develop rules and regulations relating to pupils who suffer concussions. The regulations will provide for required training every two years of coaches, physical education teachers, nurses and athletic trainers in the recognition, monitoring and seeking proper medical treatment for students who suffer concussions.

The regulations will further provide for the State Education Department and the Department of Health to post information on their websites relating to the definition of a concussion, signs and symptoms of concussions, how concussions occur, and guidelines for return to school and to certain school activities after a student has suffered a concussion. Schools will also need to include this information on any permission form that may already be required for participation in athletic activities, and reference how to obtain this information on the school’s website.

The regulations will also require that a student who has sustained a concussion, or is suspected to have sustained a concussion, be immediately removed from athletic activity and not be permitted to return until he/she has been symptom free for at least 24 hours and receives authorization from a licensed physician.

Furthermore, the regulations will authorize schools to voluntarily establish a concussion management team composed of the athletic director, a school nurse, the school physician, a coach of an interscholastic athletic team, an athletic trainer and any other personnel that the school deems appropriate. The concussion management team will oversee the implementation of the regulations developed by the State Education Department and may also develop a program to provide information to parents regarding concussions throughout the school year.

**A.2417; Heastie** This legislation would direct the New York City School District to comply with statewide reporting requirements when there may have been child abuse or maltreatment in an educational setting. Currently, the New York City School District utilizes its own local reporting requirements. This bill was reported and referred to the Assembly Codes Committee.

**A.6237A, Robinson** This legislation would direct the Commissioner of Education, in consultation with the Department of Health and the Office of Children and Family Services, to develop youth suicide prevention training programs for use by classroom teachers, teaching assistants, pupil personnel services professionals, and school administrators or supervisors of public schools in the state in accordance with respective collective bargaining agreements. The commissioner would also be directed to require that boards of education inform their staff of resources available regarding suicide prevention pursuant to this legislation. This bill passed the Assembly and was referred to the Senate Committee on Rules.

#### **D. SPECIAL EDUCATION**

**A.1089, Nolan** This legislation would have authorized the establishment of the special education short-term revolving loan fund. The Comptroller would be authorized to provide no-interest loans from this fund to any special act school district or approved special education provider seeking short-term financing for operations, pending tuition payments. These loans would be provided after the Comptroller receives a written agreement between the school district/provider and the State Education Department outlining the need for the loan and providing reasonable assurances that the loan will be repaid. This bill was reported and referred to the Assembly Committee on Ways and Means.

**A. 3289, Weisenberg** This legislation would require the Commissioner of Education to develop rules and regulations that would authorize students with extended time provisions on their individualized education programs, or who receive extended testing time accommodations, to be provided an opportunity to only take one regents exam a day. This bill was reported and referred to the Assembly Committee on Ways and Means.

#### **E. SCHOOL BUSES/PUPIL TRANSPORTATION**

**A.3127A, O'Donnell; Veto Memo #54** This legislation would have authorized the New York City school district to award contracts for the transportation of preschool special education children through a request for proposal procurement process. Any new transportation contract that the board of education or the Chancellor approved through this process would have to have

included employee protections relating to employment, compensation, hiring, and retention of employees.

## **F. EDUCATIONAL FACILITIES**

**A.7230A, Nolan; Chapter 544 of the Laws of 2011** Requires the Chancellor of the New York City school district to compile an inventory of outdoor schoolyards in the New York City school district and issue a report to the Governor, the Legislature and the State Education Department by December 31, 2012. The report will identify the locations of the schoolyards, describe their usage, make note of any future plans for construction or renovation, and provide any other information or recommendations that the Chancellor deems necessary in order to improve schoolyards in educational facilities and enhance the physical education, physical and mental fitness and well-being of students.

**A.7259, Nolan; Chapter 300 of the Laws of 2011** Authorizes the principals of each public school in the New York City school district to notify only those parents or guardians of students affected by a bedbug (*Cimex lectularius*) infestation, or if a bedbug infestation is contained within a discrete area, then only those parents or guardians of affected students in that discrete area. This legislation is a chapter amendment to Chapter 426 of the laws of 2010 which created the bedbug notification provisions.

**A.8100, Schimminger; Chapter 213 of the Laws of 2011** Authorizes the Randolph Academy union free school district (UFSD) to acquire land owned by the Hopevale UFSD and to operate the school. Hopevale is a special act public school district located in Hamburg, New York and educates students with disabilities in grades 7 through 12. Allowing Randolph Academy to operate Hopevale will provide for the school to remain open and help to ensure that the students who attend Hopevale do not have their educational services disrupted.

**A.1762, Nolan** This legislation would require the New York City School Construction Authority (SCA) to file a copy of the site plan prior to leasing any building or property to be used as an educational facility and to provide public notice regarding the proposed site plan for the leased space. The legislation would also require the community education council of the affected community school district and the affected community board to hold a hearing on the proposal and for the site plan for the leased space to be submitted to the New York City Mayor and City Council for review. This bill passed the Assembly and was referred to the Senate Committee on Corporations, Authorities and Commissions.

## **G. CHARTER SCHOOLS**

**A.6300A, Nolan** This legislation would authorize a principal of a school district to make a written request to the board of education for a leave of absence of not more than three years to serve as a principal in a charter school. After the leave of absence, the principal would be able to return to the school district without any loss of rights and if no position is available, the principal would be placed on a preferred eligible list of candidates for appointment to a vacancy. Education Law currently authorizes teachers to exercise this option. This bill was reported and referred to the Assembly Committee on Rules.

**A.4975B, McEneny** This legislation would freeze the charter school basic tuition that the Albany City School District must pay in the 2010-11, 2011-12 and 2012-13 school years to the 2008-09 school year level. This bill passed the Assembly and was referred to the Senate Education Committee.

## **H. SCHOOL DISTRICT BUDGET & OPERATIONS**

**A.6611, Nolan; Chapter 17 of the laws of 2011** Authorizes nonpublic schools to contract with BOCES for the processing of fingerprints used for employee criminal history record checks. Permitting nonpublic schools to contract with BOCES for this purpose will make it more efficient for nonpublic schools to meet their employee fingerprinting obligations.

**A.5600A, Nolan; Chapter 160 of the laws of 2011** Chapter 2 of the laws of 2011 extended for one year the provisions which allow the Commissioner of Education to continue current contracting practices relating to grants to school districts, BOCES, public libraries and other public educational entities by authorizing a number of discretionary grants to be exempt from certain state contracting requirements. This streamlined practice was developed jointly between the Commissioner of Education and the Office of the State Comptroller and reduces paperwork and administrative burdens and also ensures the timely receipt of grant funds. This Chapter extends these provisions three years until June 30, 2014.

**A.5719, Magee; Chapter 32 of the laws of 2011** Extends for two years, authority for the Madison-Oneida BOCES to enter into a contract, not to exceed two years, with the Madison Cortland ARC to provide transportation maintenance and repair services on buses owned and operated by the Madison Cortland ARC.

## **I. PARENT ASSOCIATIONS**

**A.4583, Aubry** This legislation would add duly appointed or elected officers of parents' associations in New York City to the list of positions entitled to legal representation and indemnification for actions occurring within the scope of official duties. Members of the board of education and community school boards, the teaching or supervising staff, officers, or employees of these boards, members of a committee or subcommittee on special education, and authorized participants in the school volunteer program are among those already protected in law. This bill was reported and referred to the Assembly Committee on Codes.



### **III. PUBLIC HEARINGS AND ROUNDTABLES**

#### **A. ROUNDTABLE ON PROMOTING ARTS EDUCATION IN SCHOOLS**

**May 4, 2011**

**10:00 A.M.**

**Albany, NY**

The Committee on Education convened a Roundtable of art education stakeholders to discuss and gain a further understanding of how the arts are promoted in schools across New York State, as well as the challenges they are currently facing and may encounter in the future.

This Roundtable provided an opportunity to discuss ways to infuse art, dance, music and theater into classroom settings; the current requirements for art education for students; and the importance of making art visible in schools. The participants also highlighted the state of arts in schools and made recommendations that the State Legislature could take to enhance and encourage art education in New York's educational system.

A number of advocates of arts in education participated in the Roundtable, including representatives from United Federation of Teachers, NYSUT, NYC Department of Education, NYS Alliance For Arts Education, NYS School Music Association, NYS Council of School Superintendents, NYS Dance Education Association, NYSED Association in Visual Arts Education, NYSED Office of Cultural Education, the NYS BOCES Arts in Education Network, and the Center for Arts Education.

## **B. PUBLIC HEARING ON ENVIRONMENTAL QUALITY IN SCHOOLS**

**May 10, 2011**

**10:00 AM**

**Albany, NY**

The Education Committee convened a hearing to review the environmental quality in schools in New York State. The Committee received testimony from numerous State and New York City officials as well as various other stakeholders from the environmental and educational communities to discuss environmental health issues and hazards that are present in school buildings, as well as what is currently being done to increase the environmental quality in New York's schools.

In 1994, the New York State Board of Regents adopted guiding principles in order to keep schools safe for students, faculty, and parents. Under these principles, every child has a right to a safe and healthy learning environment. Additionally, every parent, child, and school employee has a right to know about environmental health issues and hazards in their school. At this hearing, the State officials and stakeholders testified about PCBs in schools, leased spaces, and green buildings on school grounds.

The Committee heard public testimony from Carl Thurnau, Coordinator, State Education Department Office of Facilities Planning; Jeffrey Shear, Chief Operating Officer, Operations Division at New York City Department of Education; Lorraine Grillo, President, New York City School Construction Authority; Ross Holden, General Counsel, New York City School Construction Authority; John Shea, Chief Executive Officer, Division of School Facilities New York City Department of Education; Chris Proctor, Directory of Safety and Health Department United Federation of Teachers; Carol Gerstl, Counsel, United Federation of Teachers; Queen Makkada, President, District 27 Title 1 District Parent Advisory Council; Katrina Barnes, Education Co-Chair, NAACP Far Rockaway; Richard Schrader, New York Legislative Director, Natural Resources Defense Council; David Carpenter, Professor SUNY Albany; Daniel Lefkowitz, PCB in Schools; and Ann Casey, PCB Chemist Technical Service Program Manager, NEA-PACE Analytical Sources.

#### **IV. OUTLOOK 2012**

During the next legislative session, the Committee on Education will continue to report legislation to advance the interests of students and ensure that they have the educational opportunities they deserve. The Committee will continue its commitment to providing special education students, English language learners, and at-risk students access to quality educational services.

The Committee will continue to advocate for the necessary resources to provide the students of this State with a sound basic education.

**V. SUMMARY SHEET**

	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
<b>BILLS REPORTED WITH OR WITHOUT AMENDMENT</b>			
TO FLOOR; NOT RETURNING TO COMMITTEE	4	0	4
TO WAYS AND MEANS	22	0	22
TO CODES	2	0	2
TO RULES	5	0	5
TO JUDICIARY	0	0	0
TOTAL	33	0	33
<b>BILLS HAVING COMMITTEE REFERENCE CHANGED</b>			
TO <u>Higher Education</u> COMMITTEE	2	0	2
TO <u>Government Employees</u> COMMITTEE	1	0	1
TOTAL	3	0	3
<b>SENATE BILLS SUBSTITUTED OR RECALLED</b>			
SUBSTITUTED		3	3
RECALLED		0	0
TOTAL		3	3
BILLS DEFEATED IN COMMITTEE	0	0	0
BILLS NEVER REPORTED, HELD IN COMMITTEE	444	0	449
BILLS NEVER REPORTED, DIED IN COMMITTEE	0	0	0
BILLS HAVING ENACTING CLAUSES STRICKEN	22	0	15
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	502	3	505
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	7		