

Board of Education

2020 Jump Brook Road, PO Box 382
Grand Gorge, NY 12434
607-588-6291 Ext. 141



BOARD AGENDA

Wednesday, January 8, 2014
12:30 p.m. - ETC Room

Northern Catskills Occupational Center
Grand Gorge, New York 12434

The Mission of the Otsego Northern Catskills BOCES is:

To provide leadership and support systems through teamwork with the component districts to enhance student outcomes and lifelong learning.

Adopted: May 20, 1991

I. OPENING OF MEETING

- A. ROLL CALL & QUORUM CHECK
- B. PLEDGE OF ALLEGIANCE
- C. CALL TO ORDER

COLLABORATIVE DISCUSSION WITH COMPONENT SUPERINTENDENTS

- D. ADDITIONS TO AGENDA
- E. APPROVAL OF CONSENT AGENDA ITEMS

(Note: If a board member believes that any item on the consent agenda requires discussion or a separate vote, the board member may request that the item be removed from the consent agenda and placed on the regular agenda for consideration.)

- 1. Minutes from December 11, 2013 Meeting - Attachment #1
- 2. Monthly Reports - Attachment #2
- 3. Budgetary Transfers - Attachment #3
- 4. Claims Auditor Report - Attachment #4

- F. EXAMINATION OF WARRANTS

G. PUBLIC COMMENTS

II. REPORTS

A. DISTRICT SUPERINTENDENT REPORT

- Otsego County Legislative Breakfast Update
- Pre-Engineering Visit - March 12

B. DEPUTY SUPERINTENDENT REPORT

- NYS Budget Proposals (Board of Regents, Governor)
- NYS Tax Commission Report
- Administrative/Capital Budget Update
- Regional Presentations (in February/March)
- OSC Fiscal Stress Monitoring
- Donation of Records

C. DIRECTORS' REPORT

- **Joe Booan, Director, Student Programs**
- **Anne Rode, Director, Itinerant Services and Administrative Programs**
- **Teresa Glavin, Coordinator, Instructional Support Services**

III. NEW BUSINESS

A. APPROVAL OF CONSENT AGENDA ITEMS

(Note: If a board member believes that any item on the consent agenda requires discussion or a separate vote, the board member may request that the item be removed from the consent agenda and placed on the regular agenda for consideration.)

- C. Approval of Field Trip
- D. Deed of Gift Agreements

B. PERSONNEL - Attachment #5

Consent C. APPROVAL OF FIELD TRIP - Attachment #6

- OAOC (Lutz) NYS HOSA Spring Leadership Conference Planning Meeting, Doubletree Hotel, East Syracuse, NY 13057, January 31 - February 1, 2014

Consent D. APPROVAL OF DEED OF GIFT AGREEMENTS WITH NYSHAH/RL & DCHA

Whereas, the Otsego Northern Catskills BOCES wishes to enter into agreements with the NYS Historical Association Research Library (NYSHA/RL) and the Delaware County Historical Association (DCHA) to donate original historical documents to their associations; and

Whereas, ONC BOCES will transfer historical documents dated from 1909 to 1953 related to ONC BOCES and its component districts, including apportionment of public money statistical reports, Commissioner's abstract of trustees' reports, school tax roll & warrants, and annual report of teachers employed, to NYSHA/RL, Cooperstown, NY and to DCHA, Delhi, NY as indicated in the terms of each agreement. ONC BOCES will maintain archived microfiche film of the documents as the film is the official copy; and

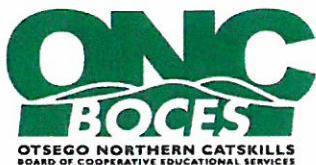
Resolved, the Otsego Northern Catskills BOCES Board of Education does hereby approve the agreements for the terms set forth above.

E. PUBLIC COMMENTS**F. INFORMATION ITEMS****IV. ADJOURNMENT**

/ef

1/6/14

Attachments



ATTACHMENT# 3

BUDGET CODE KEY

Coser	Coser Description	Coser	Coser Description
001	Administration	535	Grant writing
002	Capital Expenditures	552	Assistive Technology
101	Career & Technical Education (NCOC)	604	School Bus Driver Training - Staff Development
103	Career & Technical Education (OAOC)	605	Employee Safety/Risk Management Coordination
104	Consultant Teacher	610	Self-Funded, Self-Admin, Healthcare/Dental Benefit Coord
201	Special Class Placement 15:1:1(BAP/CP)	616	Self-Funded, Self-Admin, Worker's Compensation Prog Coord
202	Therapeutic Learning Center	621	Admin Staff Training
204	Special Class Placement 12:1:1+3(Basic Life Skills)	622	School Board Institute
210	Special Class Placement 8:1:1 (TRUST)	631	Employee Relations
212	Special Class Placement 8:1:1 (Behavioral Adjustment)	635	Shared Business Office Support
301	Physical Education	637	Telephone Interconnect
302	Adaptive Physical Education	640	Cooperative Personnel Recruitment
304	Foreign language	650	Subfinder Service
305	Speech improvement	660	Employee Assistance Program (EAP)
306	Art	670	Records Management
308	Elementary & Secondary Guidance/Handicapped Counseling	680	Fingerprinting Service
309	Health Education	701	Operations & Maintenance
310	School Psychologists	704	Vocational Assessment Administration
311	Dental Hygienist	705	Learning Centers Administration
312	Student Assistance Program	706	1:1 Aides - Handicapped Services
314	School Library Media Specialist	707	Internal Technology Administration
315	Speech/Language, Severe	708	Instructional Support Services Administration
318	English as a Second Language (ESL)	711	Innovative Programs/Itinerant Services Administration
320	Service for the Visually Impaired	800	Grant Benefits
321	Service for the Hearing Impaired/Deaf	802	USDA-RUS Grant
323	Business Teacher	803	School Library System
328	Physical Therapy	806	Library Services/Technology Act
329	Occupational Therapy	807	SESI Grant
406	Alternative School Program	820	Summer Programs: Handicapped
411	Distance Learning	831	O'Connor Matching Fund Grant
421	Student Leadership Training Workshops (CASSC)	837	New Visions
430	Summer Driver Education	841	PBIS Program
503	Educational Media Services	854	CROP IV
504	Elementary Science Program	861	VATEA - Secondary
505	Library Instructional Resources	862	Scriven Foundation Stem Program
514	In-Service Coordination - Staff Development	890	Adult Education
521	Library Automation	892	CDA-Child Dev
523	Instructional Technology	893	Robinson Broadhurst Grant - LPN
524	Model Schools	894	C N A Home Health Aide
527	School Improvement	895	LPN - OAOC Program
532	Coordination (CASSC)	896	Grant Administration

Otsego-Northern Catskills BOCES

Budgetary Transfer Report

Fiscal Year: 2014

Current Appropriation - Effective From: 11/01/2013 To: 11/30/2013

Effective Date	Trans ID	Transaction Description	Budget Account	Description	Amount Transferred From	Amount Transferred To
Fund: A - GENERAL FUND						
11/05/2013	004397	To cover general service, telephone expenses				
			A610-7810-301-000 R	GENERAL SUPPLIES	-7,995.00	
			A610-7810-400-000 R	GENERAL SERVICES		850.00
			A610-7810-401-000 R	TELEPHONE		7,145.00
11/05/2013	004763	To properly allocate funds for the purchase of printer toner cartridges.				
			A315-4810-301-000 R	GENERAL SUPPLIES	-36.00	
			A315-4810-399-000 R	TECHNOLOGY SUPPLIES		36.00
11/05/2013	004767	To properly allocate funds for the purchase of a laptop for Anne Rode, as well as toner cartridges for the Itinerant Services Administration offices.				
			A711-8010-299-000 R	TECHNOLOGY EQUIPMENT	-940.50	
			A711-8010-301-000 R	GENERAL SUPPLIES	-939.00	
			A711-8010-399-000 R	TECHNOLOGY SUPPLIES		1,879.50
11/05/2013	004884	Transfer needed in Technology Equipment 299 code instead of Equipment 200 code				
			A103-3990-200-000 R	EQUIPMENT	-4,158.00	
			A103-3990-299-000 R	TECHNOLOGY EQUIPMENT		4,158.00
11/05/2013	004886	Transfer needed for General Service code for inspection fees and services				
			A701-8010-301-103 R	GENERAL SUPPLIES	-5,637.55	
			A701-8010-400-103 R	GENERAL SERVICES		5,637.55
11/05/2013	004897	Increased insurance cost unanticipated.				
			A635-7017-400-000 R	GENERAL SERVICES	-845.00	
			A635-7017-422-000 R	INSURANCE		845.00
11/05/2013	004987	Transfer needed to purchase welders for additional students in the program				
			A101-3990-522-000 R	HOLDING ACCOUNT	-7,104.00	
			A103-3610-200-000 R	EQUIPMENT		7,104.00
11/05/2013	005064	Transfer needed for Career Pathways Transportation				
			A201-4210-522-000 R	HOLDING ACCOUNT	-17,400.00	
			A201-4210-454-000 R	TRAVEL		17,400.00
11/05/2013	005065	Transfer needed for conference expense code				
			A705-6110-301-101 R	GENERAL SUPPLIES	-432.54	
			A705-6110-454-101 R	TRAVEL		432.54
11/05/2013	005084	To provide funds appropriately for Joy's computer on pending order.				
			A411-5877-301-021 R	GENERAL SUPPLIES	-917.20	
			A411-5877-399-021 R	TECHNOLOGY SUPPLIES		917.20
11/05/2013	005085	Transfer needed for LTA sub salary				
			A101-3440-301-000 R	GENERAL SUPPLIES	-247.50	
			A101-3440-151-000 R	TEACHER SUBS/LTA STEP UP		247.50
11/05/2013	005086	Transfer needed for salary and benefits				
			A101-3640-301-000 R	GENERAL SUPPLIES	-483.75	
			A101-3640-150-000 R	CERTIFIED SALARIES		106.77
			A101-3640-151-000 R	TEACHER SUBS/LTA STEP UP		149.50
			A101-3640-155-000 R	HEALTH BUY-OUT		18.00
			A101-3640-812-000 R	WORKMENS COMP		16.99
			A101-3640-814-000 R	MEDICARE TAX		33.14
			A101-3640-815-000 R	SOCIAL SECURITY		140.82
			A101-3640-820-000 R	UNEMPLOYMENT INS		16.99
			A101-3640-825-000 R	EMPLOYEE ASSISTANCE PROG		1.54
11/05/2013	005087	Transfer needed for LTA Sub salary and teacher benefits				
			A101-3226-301-000 R	GENERAL SUPPLIES	-846.33	
			A101-3226-152-000 R	LTA SUBSTITUTES		82.50
			A101-3226-816-000 R	HEALTH INSURANCE		234.60
			A101-3226-817-000 R	DENTAL INSURANCE		529.23
11/05/2013	005088	Transfer needed for Health benefits				
			A101-3960-301-000 R	GENERAL SUPPLIES	-111.72	
			A101-3960-816-000 R	HEALTH INSURANCE		111.72
11/05/2013	005089	Transfer needed for benefits				

Otsego-Northern Catskills BOCES

Budgetary Transfer Report

Fiscal Year: 2014

Current Appropriation - Effective From: 11/01/2013 To: 11/30/2013

Effective Date	Trans ID	Transaction Description	Budget Account	Description	Amount Transferred From	Amount Transferred To
			A101-3869-200-000 R	EQUIPMENT	-2,738.71	
			A101-3869-399-000 R	TECHNOLOGY SUPPLIES	-1,000.00	
			A101-3869-155-000 R	HEALTH BUY-OUT		1,939.68
			A101-3869-811-000 R	TEACHER RETIREMENT		926.36
			A101-3869-812-000 R	WORKER'S COMPENSATION		41.65
			A101-3869-814-000 R	MEDICARE TAX		81.81
			A101-3869-815-000 R	SOCIAL SECURITY		348.26
			A101-3869-820-000 R	UNEMPLOYMENT INSURANCE		41.65
			A101-3869-821-000 R	EDUCATIONAL IMPROVEMENT		19.57
			A101-3869-822-000 R	Post Retirement Benefit		337.22
			A101-3869-825-000 R	EMPLOYEE ASSISTANCE PROG		2.51
11/05/2013	005091	Transfer needed for salary and benefits	A103-3440-301-000 R	GENERAL SUPPLIES	-343.97	
			A103-3340-151-000 R	TEACHER SUBS/LTA STEP UP		187.50
			A103-3340-811-000 R	TEACHERS RETIREMENT		30.66
			A103-3340-816-000 R	HEALTH INSURANCE		111.72
			A103-3340-820-000 R	UNEMPLOYMENT INS		1.48
			A103-3340-821-000 R	EDUCATIONAL IMPROVEMENT		0.62
			A103-3340-822-000 R	Post Emp. Retiremnt Benef		10.87
			A103-3340-825-000 R	EMPLOYEE ASSISTANCE PROG		0.24
			A103-3440-812-000 R	WORKMENS COMP		0.88
11/05/2013	005092	To properly allocate funds for the purchase of an iPad for the Itinerant AT/OT.	A329-6717-301-000 R	GENERAL SUPPLIES	-575.00	
			A329-6717-399-000 R	TECHNOLOGY SUPPLIES		575.00
11/05/2013	005093	Transfer needed for LTA Sub salary and teacher Health benefit	A103-3226-301-000 R	GENERAL SUPPLIES	-194.64	
			A103-3226-151-000 R	TEACHER SUBS/LTA STEP UP		150.00
			A103-3226-816-000 R	HEALTH INSURANCE		44.64
11/05/2013	005094	Transfer needed for LTA salary and Health benefits	A103-3960-301-000 R	GENERAL SUPPLIES	-824.22	
			A103-3960-151-000 R	TEACHER SUBS/LTA STEP UP		112.50
			A103-3960-157-000 R	CLUB ADVISOR		600.00
			A103-3960-816-000 R	HEALTH INSURANCE		111.72
11/05/2013	005096	Transfer needed for LTA salary and teacher benefits	A103-3112-522-000 R	HOLDING ACCT/Surplus or D	-932.88	
			A103-3112-151-000 R	TEACHER SUBS/LTA STEP UP		75.00
			A103-3112-157-000 R	CLUB ADVISOR		600.00
			A103-3112-811-000 R	TEACHERS RETIREMENT		84.30
			A103-3112-812-000 R	WORKMENS COMP		4.15
			A103-3112-814-000 R	MEDI TAX		4.14
			A103-3112-815-000 R	SOCIAL SECURITY		18.61
			A103-3112-816-000 R	HEALTH INSURANCE		106.08
			A103-3112-820-000 R	UNEMPLOYMENT INS		4.15
			A103-3112-821-000 R	EDUCATIONAL IMPROVEMENT		1.93
			A103-3112-822-000 R	Post Emp. Retiremnt Benef		34.23
			A103-3112-825-000 R	EMPLOYEE ASSISTANCE PROG		0.29
11/05/2013	005097	Transfer needed for benefits	A103-3869-399-000 R	TECHNOLOGY SUPPLIES	-632.39	
			A103-3869-811-000 R	TEACHER RETIREMENT		288.64
			A103-3869-812-000 R	WORKER'S COMPENSATION		12.90
			A103-3869-814-000 R	MEDICARE TAX		17.94
			A103-3869-815-000 R	SOCIAL SECURITY		76.94
			A103-3869-816-000 R	HEALTH INSURANCE		111.72
			A103-3869-820-000 R	UNEMPLOYMENT INSURANCE		12.90
			A103-3869-821-000 R	EDUCATIONAL IMPROVEMENT		5.69
			A103-3869-822-000 R	Post Retirement Benefit		105.14

Otsego-Northern Catskills BOCES

Budgetary Transfer Report

Fiscal Year: 2014

Current Appropriation - Effective From: 11/01/2013 To: 11/30/2013

Effective Date	Trans ID	Transaction Description	Budget Account	Description	Amount Transferred From	Amount Transferred To
			A103-3869-825-000 R	EMPLOYEE ASSISTANCE PROGR		0.52
11/05/2013	005098	transfer needed for Sub LTA salary, Technology Supplies and Health Benefits	A103-3410-522-000 R	HOLDING ACCT/Surplus or D	-257.50	
			A103-3410-151-000 R	TEACHER SUBS/LTA STEP UP		112.50
			A103-3410-399-000 R	TECHNOLOGY SUPPLIES		33.28
			A103-3410-816-000 R	HEALTH		111.72
11/05/2013	005099	Transfer needed for LTA Sub salary and teacher benefits	A103-3610-522-000 R	HOLDING ACCT/Surplus or D	-3,235.26	
			A103-3610-152-000 R	LTA SUBSTITUTES		192.50
			A103-3610-811-000 R	TEACHERS RETIREMENT		1,258.02
			A103-3610-812-000 R	WORKMENS COMP		88.44
			A103-3610-814-000 R	MEDI TAX		162.25
			A103-3610-815-000 R	SOCIAL SECURITY		692.98
			A103-3610-820-000 R	UNEMPLOYMENT INS		88.44
			A103-3610-821-000 R	EDUCATIONAL IMPROVEMENT		41.34
			A103-3610-822-000 R	Post Emp. Retiremnt Benef		705.53
			A103-3610-825-000 R	EMPLOYEE ASSISTANCE PRGR		5.76
11/05/2013	005204	TO REALLOCATE FUNDS TO ACCURATELY REFLECT EXPENDITURES ON TECHNOLOGY SUPPLIES INSTEAD OF EQUIPMENT	A707-8011-299-000 R	TECHNOLOGY EQUIPMENT	-2,000.59	
			A707-8011-399-000 R	TECHNOLOGY SUPPLIES		2,000.59
11/18/2013	005399	To cover negotiator salaries and benefits	A631-7111-166-000 R	EXTRA PAY & OVERTIME	-5,500.00	
			A631-7111-301-000 R	GENERAL SUPPLIES	-7,298.00	
			A631-7111-160-000 R	NON-CERTIFIED SALARIES		5,500.00
			A631-7111-161-000 R	SALARIES - NEGOTIATORS		5,000.00
			A631-7111-812-000 R	WORKERS COMP		80.00
			A631-7111-813-000 R	EMPLOYEE RETIREMENT		1,100.00
			A631-7111-814-000 R	MEDICARE		100.00
			A631-7111-815-000 R	SOCIAL SECURITY		350.00
			A631-7111-820-000 R	UNEMPLOYMENT		80.00
			A631-7111-821-000 R	EDUC IMPROVEMENT		25.00
			A631-7111-822-000 R	Post Emp. Retiremnt Benef		560.00
			A631-7111-825-000 R	EMPLOYEE ASSISTANCE PROG		3.00
11/18/2013	005458	Transfer needed for Equipment in the COS program	A103-3640-301-000 R	GENERAL SUPPLIES	-57.66	
			A103-3640-200-000 R	EQUIPMENT		57.66
11/18/2013	005510	TO PROPERLY ALLOCATE FUNDS TO COVER HEALTH INSURANCE	A503-6310-821-000 R	EDUCATIONAL IMPROVEMENT	-3.84	
			A503-6310-816-000 R	HEALTH INSURANCE		3.84
11/18/2013	005536	TO PROPERLY ALLOCATE FUNDS TO REFLECT STAMFORD EBOOK FUNDS IN PROPER BUDGET LINE	A505-6316-301-146 R	GENERAL SUPPLIES	-825.00	
			A505-6316-301-001 R	GENERAL SUPPLIES		825.00
11/18/2013	005788	trophy and medal costs slightly higher than projected see PND-01408	A421-5841-400-021 R	GENERAL SERVICES	-3.00	
			A421-5841-301-021 R	GENERAL SUPPLIES		3.00
			Total for Fund A - GENERAL FUND		-74,516.75	74,516.75

Otsego Northern Catskills BOCES

CLAIMS AUDITOR REPORT Gail Miner

Audit Log: 12/1/13-12/30/13

Gail Miner 11/6/14
Claims Auditor Date

Warrant #	Warrant Date	Check # Sequence	Fund	Audit Date	Check #	CA Findings
0084	12/3/2013	87602-87650	A	12/2/2013		2 Claims Returned OAOC-Order prior to PO IP-Conference prior to PO
0088	12/10/2013	87651-87731	A	12/9/2013	87604 87606	1 Claim Returned OAOC-Late submission of invoice to BO
0092	12/17/2013	87732-87807	A	12/16/2013	87682	3 Claims Returned OAOC-Service prior to PO DL-Service prior to PO CASEBP-Service prior to PO
0093	12/23/2013	490-493	OT	12/22/2013	492	1 Claim Returned CASEBP/BO-Incorrect amount entered (incorrect addition) VOID
0095	12/23/2013	87808-87870	A	12/22/2013		4 Claims Returned OAOC-Purchase prior to PO (credit card) ISS-Receipt for reimbursement missing 87834 87836 87852 OAOC-Service prior to PO ISS-Receipt for reimbursement missing
0098	12/31/2013	87871-87890	A	12/30/2013	87881 87886	2 Claims Returned OAOC-Open-end purchase receipt not signed (3) NCOC-Service prior to PO (2)

ATTACHMENT# 4

ISS-Instructional Support Services
LR-Labor Relations
ML-Media Library
MS-Management Services
NCOC-Northern Catskills Occ Center
OAOC-Oscego Area Occ Center
SETRC-SETRC
SBO-Shared Business Office
SLS-School Library System
SR-Safety Risk Management
SAP-Student Assistance Program

HUMAN RESOURCES ATTACHMENT

BOCES BOARD AGENDA

JANUARY 8, 2014

ATTACHMENT# 5

RESOLVED, that the Board of Cooperative Education, upon the recommendation of the District Superintendent does hereby approve the following:

MISCELLANEOUS APPOINTMENTS				
Name	Appointment	Position	Effective	Compensation
Amber VanEtten	Casual Employee	CNA Instructor	1/6/2014 - 8/31/2014	\$25.00/hr
Mary Louise Silber	Casual Employee	CNA Instructor	1/28/2014 - 8/31/2014	\$30.00/hr Max. of \$5400.00
Patrick Wager	Temporary	Substitute	1/9/2014 - 6/30/2014	As per board policy or rate per contract

Note: Employment is contingent upon clearance from the State Education Department to comply with the fingerprinting provisions of Project Save.

CHANGE IN CIVIL SERVICE STATUS				
Name	Dept.	Position	Appointment	Effective
Donald Brown	SBO	Senior Account Clerk	Permanent	1/18/2014
Terri Chichester	SBO	Senior Account Clerk	Permanent	1/18/2014
Luann Hallock	SBO	Senior Account Clerk	Permanent	1/18/2014
Susan Harrison	SBO	Account Clerk	Permanent	1/18/2014

RESIGNATIONS/RETIREMENTS				
Name	Position	Reason	Effective	
Thomas Santacrose	Principal	Retirement	6/30/2014	
Lynn Gould	Special Education School Improvement Specialist	Retirement	12/31/2015	

LEAVE OF ABSENCES				
Name	Position	Reason	Effective	
Fawn Jaeger	Senior Claims Processor	Medical Leave	12/20/2013 - 1/14/2014 Extension of original dates of 9/16/2013 - 12/19/2013	
Betty Jones	Account Clerk	Medical Leave	12/14/2013 - 1/10/2014 Extension of original dates of 11/22/2013 - 12/13/2013	

OTSEGO NORTHERN CATSKILLS BOCES
2020 JUMP BROOK ROAD; PO BOX 382
GRAND GORGE, NY 12434



CONFERENCE REQUEST & CLAIM FORM

NAME: Nancy Lutz

BUDGET CODE: 103-3960-454

ADDRESS: 124 Redwing Circle
Oneonta, NY 13820

DATE(S) OF CONFERENCE: January 31 - February 1, 2014

NAME OF CONFERENCE: NYS HOSA Spring Leadership Conference Planning Meeting

Location of Conference: Doubletree Hotel, 6301 Route 298, E. Syracuse, NY 13057
(City, State)

	<i>Estimate</i>	<i>Purchase Order</i>	<i>Actual</i>
Registration Fee	<u> </u>	<u> </u>	Y or N
Room: Number of days	<u>1</u>	<u>107.00</u>	Y or N
Meals	<u>56.00</u>		

(Maximum reimbursement based upon the Federal Joint Travel Regulation rate) **Itemized meal receipts are required**

Travel:

a. *Private Auto* School vehicle if possible

IRS reimbursement rate	<u> </u>	<u> </u>	# of Miles	<u> </u>	<u> </u>
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b. <i>Commercial: Type</i>	<u> </u>	<u> </u>	<u> </u>	Y or N	<u> </u>
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(i.e. airplane, train, rental car, etc.)

c. <i>Tolls</i>	<u>7.50</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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Other Expenses (itemized)	<u> </u>	<u> </u>	Y or N	<u> </u>	<u> </u>
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SUB-TOTAL:	<u>170. 50</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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Subtract Advance Payment (if applicable):

GRAND TOTAL for reimbursement:

If actual total is 10% over estimated total, Supervisor must approve.

DATE INITIALS

If receiving an advancement, I understand that I will be financially responsible for any missing receipts.

All original receipts must be attached for reimbursement. Please attach a copy of the conference brochure/flier, including lodging information.

I hereby certify that the expenses listed above are correct.

Nancy Lutz 12/12/13
Signature

Approved by:

John M. Lutz
12/13/13
(BOCES Supervisor)

OR

(Component School District Administrator)

ONC BOCES District Superintendent or Deputy Superintendent:

I (approve) / (do not approve) the above request.

John M.

12/13/13

District Superintendent

Date

OR

Deputy Superintendent

Date

White Copy: BOCES Supervisor

Yellow Copy: Accounts Payable

Pink Copy: Employees

Otsego Northern Catskills BOCES FIELD TRIP REQUEST FORM

Teacher: Lutz Building: OAOC Date Submitted: 12/12/13

Date of Planned Trip: January 31 - February 1, 2014

Destination: NYS HOSA Spring Leadership Conference Planning Meeting,
Doubletree Hotel, 6301 Route 298, E. Syracuse, NY 13057

Depart School: 3:30 pm Arrive at Destination: 5:30 pm

Depart Destination: 12:00 noon Return to School: 2:00 pm

Expected Outcomes:

Planning/rehearsal for NYS HOSA Spring Leadership Conference

Planned Pre-Trip Activities

paperwork
reservations

Planned Post – Trip Activities

officer speeches written and
rehearsed
officers to know their part in
installation ceremony
officers to know their duties @
spring leadership conference

Number of Students Taking Trip: 1 Number of Adults Taking Trip: 1

Estimate Reimbursement for Meals/Travel: \$56.00 (meals) / \$7.50 (tolls)

Bus/Vehicle(s) Required; Special Needs: school van if available

Driver Needed: Yes No

Transportation will be Provided By: OAOC vehicle

Budget Code or Club Account: 103-3960-454

Purchase Order Request submitted for (amount): \$107.00 (hotel accommodation)

Transportation Approval: S. Lelason Date: 12/12/13

Supervisor's Approval: J. M. J. L. Date: 12/13/13

Director's Approval: J. M. J. L. Date: 12/13/13

Deputy Superintendent's Approval: J. M. J. L. Date: 12/13/13

Board Approval: _____ Date: _____



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY
12234

OFFICE OF CURRICULUM AND INSTRUCTIONAL SUPPORT
CAREER AND TECHNICAL EDUCATION TEAM
89 WASHINGTON AVE., ROOM 315 EB
ALBANY, NEW YORK 12234
(518) 486-1547; FAX: (518) 402-5114
[HTTP://WWW.NYSED.GOV/WORKFORCE/](http://WWW.NYSED.GOV/WORKFORCE/)

December 9, 2013

Dear HOSA Advisor,

Once again it is time for the New York HOSA State Officers and Advisors to meet and plan the Spring HOSA Spring Leadership Conference.

The Hotel Conference Planning Meeting for Conference Co-Chairs will be held on Friday January 31, 2014, starting at 8:00 am.

The State Officers Meeting will start promptly at 7:00 p.m. Friday, Jan 31, 2013. Please make sure your student has had dinner before the meeting convenes. Departure should be planned for approximately 12:00 noon on Saturday, February 1, 2014.

The meeting will be held at: Doubletree Hotel Syracuse
6301 Route 298
East Syracuse, NY 13057
(315) 432-0200

New York HOSA will pay for the student hotel rooms and breakfast and lunch on Saturday. Reservations for the officers have already been made. Transportation arrangements for the student officers are the responsibility of their respective school districts.

Advisors should make their own room reservations by calling the hotel directly and requesting the HOSA rate. **The hotel rate of \$107.00 has been set for a single or double occupancy room with a reservation deadline of 1/10/13.** If paying by cash, check or credit card a tax exempt form must be presented at check-in.

If further information is needed about the State Officers meetings, please contact Nancy Lutz slutz1@stny.rr.com or Sasha O'Connor sashaocconnor@aol.com.

Sincerely,

Joanne O'Brien
Associate in Health Occupations Education
State Advisor, HOSA

New York Schools STILL in Fiscal Peril: Our Kids Can't Wait Another Year

Date and Time: January 30, 2014, 6:30 pm at Colonie Central High School
1 Raider Boulevard, Albany, NY 12205-2784
Snow Date: February 3, 2014

Purpose of the Event:

- ✓ Draw regional attention to the on-going fiscal crisis confronting our public schools.
- ✓ Inform and energize influential stakeholder teams from the 47 school districts (+ any additional participants from WSWHE and HFM BOCES).
- ✓ Help our elected state representatives understand their responsibility to act with urgency to eliminate the Gap Elimination Adjustment (GEA) and adequately and equitably fund public schools.
- ✓ Catalyze grassroots organizing and effective public information campaigns to help school district leaders build informed consent for another round of potentially contentious school budgets.

Our Three Key "Asks":

- ✓ Eliminate the Gap Elimination Adjustment now.
- ✓ Provide fair and adequate funding for public schools.
- ✓ No new mandates unless they are fully funded.

Tentative Format for the Evening:

6:15 pm	Arrivals, Photo Slide-Show, GEA Impact and Information
6:30 pm	Jon Buhner, Superintendent at South Colonie Central School District Welcome, Introduction of Special Guests, Video Introduction
6:35 pm	Video
6:40 pm	Susan Arbeiter, Moderator: Introduction and Beginning of Discussion
6:45 pm	Panel Discussion
8:15 pm	Susan Arbeiter, Moderator: Conclusion of Discussion Bob Horan: Next Steps & "Call to Action" Invitation for continued conversation with Legislators in the cafeteria reception area.

Panelists:

Susan Arbeiter:	Moderator, Host of WCNY Capitol Pressroom
Rick Timbs:	Statewide School Finance Consortium <i>Focus Area: Big Picture Overview of GEA and School Funding</i>
Chris Foster:	Board President & Parent, Averill Park Central Schools <i>Focus Area: Importance of Advocacy</i>
Marguerite Vanden Wyngaard	Superintendent, City School District of Albany <i>Focus Area: Challenges Faced by High-Need Districts</i>
Lynn Macan	Superintendent, Cobleskill-Richmondville Central School District <i>Focus Area: Educating the Whole Child</i>
Pegeen Jenson	Grade 3 Reading Teacher, South Colonie Central School District <i>Focus Area: The Reality of How Cuts Play Out in the Classroom</i>
TBD	Teacher(s)
TBD	Student(s)



December 2013

New York State Tax Relief Commission Final Report



Co-Chairs:

George Pataki, *former Governor of New York State*

H. Carl McCall, *Chairman of the SUNY Board of Trustees and former State Comptroller*

Members:

Dall W. Forsythe, *former New York State Budget Director*

James W. Wetzler, *Director, Deloitte Tax LLP and former New York State Tax Commissioner*

Heather Briccetti, *President and CEO of New York State Business Council*

William C. "Bill" Rudin, *CEO and Vice Chairman of Rudin Management Company and Chairman of the Association for a Better New York*

John F. "Jack" Quinn, *President of Erie Community College*





Executive Summary

On October 2, 2013, Governor Andrew M. Cuomo announced the formation of the Tax Relief Commission. The Governor charged this Commission with devising a series of targeted tax relief proposals – valued at \$2 billion within three years – that would be focused on alleviating the crushing burden on individuals, families and businesses of New York's most onerous taxes, with an emphasis on local and school property taxes. Implementing the Commission's recommendations would not only provide New Yorkers with much needed relief from the nation's highest property taxes, but at the same time enhance New York's economic competitiveness by reducing the cost of doing business in the State.

The Commission commends Governor Cuomo for his decision to focus on providing targeted tax relief, and for charging this bi-partisan Commission with determining the best manner in which to do so.

The top income tax rate is scheduled to reset back to 6.85 percent in 2018 and the Commission recommends this reset take place as scheduled in order to further strengthen New York's economic climate. Some Commission members favor setting aside any future surplus to help ensure the 6.85 rate is restored in 2018.

As a result of the property tax cap enacted by the Governor and the Legislature, property taxes are no longer growing at exorbitant rates.

Property Tax Relief

Despite progress made under the property tax cap, New Yorkers continue to face some of the highest property tax bills in the nation, whether measured in absolute terms, or as a percentage of home value, and the Commission believes that it is essential to use \$1 billion of the \$2 billion revenue pool to further reduce the burden of the property tax on homeowners. The remaining \$1 billion should be used to provide additional tax relief to businesses, families and individuals.

The Commission recommends that the State provide a two-year program to freeze residential property taxes only for homeowners in jurisdictions that abide by the 2 percent real property tax cap. In the first year, eligible homeowners would see a tax rebate equal to the amount of the increase in a homeowner's tax bill. In the second year, homeowners in jurisdictions that abide by the property tax cap would receive a rebate of their tax increase *only if they reside in jurisdictions that take meaningful concrete steps toward finding permanent structural savings by sharing services with other jurisdictions or consolidating governments in their entirety.* Only through such bold steps can New York hope to achieve a long-term reduction in real property taxes.



In addition, while programs that cap and freeze real property taxes can keep the burden of real property taxes from increasing, there is a need to provide relief to taxpayers who are already overburdened by the current level of property taxation. Accordingly, the Commission further recommends that the State develop a program that would target real property tax relief based on an individual homeowner's ability to pay, and do so in a manner that is fair to families across the State.

The Importance of Local Government Consolidation and Service Sharing

The State has taken laudatory steps to consolidate and streamline operations, and local governments should follow suit. The State is consolidating its back office operations in a single Business Service Center. It has brought all of its information technology resources together in one single Office of Information Technology Services, consolidated office space and reformed the procurement process, all of which will save the State hundreds of millions of dollars in future years. Based on this experience, the State should work with local governments to replicate this model.

Business Tax Reductions

This Commission also recognizes the need to make significant improvements to the State's business tax structure. The Tax Relief Commission's recommendations are informed by the work and the proposals of the Tax Reform and Fairness Commission. In November 2013 Governor Cuomo's Tax Reform and Fairness Commission, co-chaired by Carl McCall and Peter Solomon, released a report calling for fundamental changes in the State's tax code to make it more equitable and to increase New York's economic competitiveness. That report endorsed property tax relief, changes to estate and corporate taxes and acceleration of the phase out of the temporary utility 18-a assessment, among other tax relief measures.

The Commission recommends:

Reduce Property Tax on Manufacturers: Of the \$49 billion in real property taxes levied in 2012, \$15 billion, or 30.8 percent was paid by commercial/industrial parcels. Property taxes represent the largest tax businesses face in the State, more than three times what is paid under the corporate franchise tax. To help manufacturers survive and to attract new manufacturers to the State, the Commission is recommending a corporate and income tax credit equal to 20 percent of the amount of real property taxes paid by this industry, but would like to see the credit increased for upstate manufacturers if possible.

Lower Corporate Tax Rates and Simplify Structure: The Commission recognizes more needs to be done to spur economic growth statewide. This requires lower rates and a simplified tax structure. We propose additional tax relief for businesses in New York, including the reform and simplification of the State's primary corporate income taxes coupled with a reduction in the corporate income tax rate to 6.5 percent, the lowest corporate rate since 1968.



Reduce Corporate Tax Rate for Upstate Manufacturers: The rate for manufacturers upstate would be reduced further, to 2.5 percent, the lowest rate ever.

Accelerate Phase Out of Utility Surcharge: To further encourage business expansion, the temporary utility assessment (18-a), scheduled to be eliminated in 2018, would be eliminated in 2014 for industrial customers and all other customers will see an accelerated phase out of the surcharge.

Together, these proposals will tackle significant barriers to investment and job growth that exist in the current tax regime.

Increase Estate Tax Exemption Threshold and Lower Rate: The Commission also recognizes the need to update the estate tax. New York remains one of only 17 states with either an estate tax or an inheritance tax, and only two states currently have a lower exemption. Because estate tax thresholds have not kept pace with the rise in home values, more and more middle-income New Yorkers find themselves subject to the tax. The Commission is therefore recommending a major reform of the estate tax, increasing the State's threshold to \$5.25 million, indexed for inflation, and lowering the tax rate to 10 percent. This also will help to ensure that small businesses, including farms, are not forced out of business by the State's disproportionately low threshold for estate taxes, as well as eliminate an incentive for successful New Yorkers to leave the State.

Eliminate Nuisance Taxes: Finally, the Commission endorses the majority of the Tax Reform and Fairness Commission proposals to simplify the structure of New York's tax system by eliminating nuisance taxes.



In summary, the plan that the Commission has identified will provide \$2 billion in tax relief by 2016-17 as follows:

Tax Relief Recommendations	
<u>Recommendations</u>	<u>FY 2016-17 Fiscal Impact (\$ Millions)</u>
Real Property Tax Relief	(\$1,000)
Estate Tax Reform*	(\$381)
Corporate Tax Reform	(\$346)
Accelerate Article 18-A Temporary Assessment Phase-Out	(\$200)
Manufacturers Real Property Tax Credit	(\$136)
Rate Reduction for Upstate Manufacturers	(\$24)
Total FY 2016-17 Tax Reductions	(\$2,087)

***Value grows to \$627 million in FY 2017-18 and \$772 million in FY 2018-19.**



Background Material

I. Real Property Tax Relief

The Commission finds that property tax relief must be a significant component of the State's overall tax reduction effort. The Commission recommends an approach that encourages local governments to reduce the cost of operations. By almost any measure, New York's real property taxes are among the highest in the country. In 2010, New York's taxpayers had the dubious honor of paying the highest actual tax bills in the United States. A recent national study by the Tax Policy Center which estimated the average residential property tax bill for the years 2007-2011 found that the average residential tax bill in New York was \$5,040.¹ This five year average exceeded all but three other states – New Jersey, Connecticut and New Hampshire.

When viewed as a percentage of home value, New York fares a little better, with an average effective tax rate of 1.59 percent.² However, this disguises the extreme variability in tax rates in New York. The six counties in the United States with the highest tax rate when measured as a percentage of home value are all in New York.

Options for Real Property Tax Relief

New York's real property taxes are a serious burden to New York's working families and senior citizens. The enactment of a real property tax cap was an essential first step in bringing the growth of real property taxes under control. The Commission believes that local governments could intensify efforts to become more efficient through consolidation and shared services. The State should do its part to encourage local governments to take these actions.

Freezing Real Property Taxes

The Commission recommends that for those jurisdictions that adopt local budgets that remain within the 2 percent tax cap, the State provide a tax rebate equal to the amount of the increase in a homeowner's tax bill. This option would effectively freeze taxes for homeowners at their 2014 levels, while providing an incentive to school districts and local governments to keep growth in their real property tax levy at or below the real property tax cap of 2 percent. The Commission recommends that the period of the freeze be limited to a maximum of two years, with the second year provided only to those local governments and school districts that once again abide by the 2 percent tax cap and in year 2 develop and agree to implement a plan of shared services and administrative consolidations. Since the freeze is based on the real property tax cap, the City of

¹ Benjamin H. Harris and Brian David Moore, Residential Property Taxes by State, Tax Policy Center, November 2013. State Property Tax Summary, 2012.

² Ibid.



New York would be excluded from this proposal. When fully phased in, total tax relief would grow to \$976 million, with an average benefit of \$354 for nearly 2.8 million homeowners.

Property Tax Relief Based on the Ability To Pay:

While programs that cap and freeze real property taxes can keep the burden of real property taxes from increasing, there is an additional need to provide relief to taxpayers who are already overburdened by the current level of property taxation. The Commission recommends that the State develop a program that would target real property tax relief based on an individual homeowner's ability to pay. As previously noted, low and middle income taxpayers face an effective real property tax rate that exceeds the rate they pay under the income tax. These burdens not only make the dream of homeownership unaffordable for many New Yorkers, but they also have a negative impact on New York's economy. Young families are increasingly choosing to avoid high tax areas when deciding where to live and work. In addition, senior citizens are being forced to abandon New York upon reaching retirement age, electing to live in areas of the country with lower costs of living.

Given that tax burdens decrease as income rises, a relief program could be structured to provide a greater proportion of benefits to those with the highest burdens as a share of their income.

The parameters that determine the amount of credit can be adjusted to provide more tax relief to heavily burdened families or significant relief to a larger number of taxpayers. The Commission is open to different alternatives.

II. Tax Relief for Businesses

One of the greatest challenges facing State policy makers is to change the perception that New York is hostile to businesses.

To continue the progress the Governor and the Legislature have achieved in reducing business tax burdens, the Commission is recommending that the State pursue major reform of its primary business income taxes as well as additional tax relief to help the State's manufacturing sector.

IIa. Corporate Tax Reform

New York's corporate franchise tax is largely outdated and extremely complex. Aside from some recent efforts to improve its competitiveness (the adoption of single sales factor apportionment and limited use of market based sourcing), the tax remains largely the same as it was when enacted in the 1940's. Businesses must calculate their tax liability under four different tax bases and remit tax under the base resulting in the highest amount of tax. An additional tax of .09 percent applies to a corporation's subsidiary capital allocated to New York. In addition, businesses with a presence in the MTA district are subject to a business tax surcharge of



17 percent of their liability allocated to the district. The current tax rate of 7.1 percent has been in effect since 2007.

Despite changes in federal laws and regulations permitting cross ownership of finance and banking firms, financial service companies and banks are taxed under different articles of the tax law. This distinction artificially treats these businesses as separate corporate entities despite the unitary nature of their operations. In addition, the tax law discourages banking corporations from investing and creating jobs in New York. As banks add jobs and increase deposits in New York, their taxes increase proportionally. This anomaly in the tax law was addressed for corporate franchise taxpayers by adopting single sales factor apportionment, which bases a corporation's New York liability on the share of receipts they earn from the New York market.

While companies that sell goods can source their receipts to the location of their customers, service businesses must source their receipts to the location where the service is performed. This results in a strong disincentive for these businesses to employ people in New York, hindering New York's ability to attract and grow the jobs in the modern economy.

In addition, the complexity of the system results in a lengthy and adversarial audit process. Many audits can take years to resolve. While the Department of Taxation and Finance has implemented several measures to streamline and simplify its audit procedures, a significant share of corporate income tax collections, more than 20 percent, is received after the completion of the audit process. This has a detrimental impact on public corporations who must establish reserves on their financial reports to account for uncertain tax positions, depressing their reported earnings.

The Commission recommends merging the Corporate Franchise and Banking Franchise taxes along the lines of what was recommended by the Tax Reform and Fairness Commission, with some changes and additional rate relief for all corporate taxpayers. The Commission recommends that several of the components of the prior Commission's proposal that were included to achieve revenue neutrality be dropped or amended. Most importantly, the Commission believes that the current corporate income tax rate should be reduced from 7.1 to 6.5 percent. This will bring corporate franchise tax rates to their lowest level since 1968.³ Furthermore, other provisions should be amended to lessen the negative impact on businesses that may result from changes in the original proposal.

This reform of the corporate tax would improve the incentives to invest and grow jobs in New York, simplify the tax code and streamline the current audit process. With the additional changes as suggested above, the proposal would be effective for tax years 2015 and after and

³ The bank tax rates will be the lowest since 1971.



would reduce corporate tax revenue by \$346 million annually when fully implemented in 2016-17.

IIb. Accelerate Elimination of 18-A Temporary Assessment

The Temporary Utility Assessment (18-A Surcharge) is an assessment on electric, gas, water and steam utilities. The surcharge is scheduled to be phased out over a three and one-half year period beginning in 2014-15. New Yorkers already pay some of the highest energy bills in the nation. The surcharge increases the already high burden on families struggling to pay high utility bills. Furthermore, the 18-A Surcharge is particularly burdensome for New York businesses, especially those in energy intensive industries. According to National Grid, the surcharge will cost a typical large business \$30,000; \$540 for a typical small business, and \$55 per year for an average household.⁴

Legislation was recently adopted to phase out this surcharge by 2017-18. The Commission believes that the surcharge should be eliminated for certain taxpayers immediately; to accomplish this we suggest providing an additional \$200 million in relief targeted at manufacturing/industrial customers and residential consumers. This will immediately improve the business climate for industrial customers where electric power is a significant cost of production. This proposal, when combined with the proposed tax credit for property taxes on manufacturers and an additional manufacturing rate cut, is designed to kick-start upstate manufacturing.

IIc. Real Property Tax Relief for Businesses

New York and the nation are on the cusp of a manufacturing revival. A recent report by the Boston Consulting Group found that more than half of executives at manufacturing companies with sales of more than \$1 billion plan to return some production to the United States from China or are considering it, according to the report. That's up from 37 percent in February 2012.

And the number of respondents in the process of moving back also rose, with 21 percent engaged in returning work to the United States, or "reshoring," compared with 10 percent in 2012.⁵ The study cites more competitive labor rates, proximity to customers, product quality and skilled labor and transportation costs⁶ as the major reasons for this turnaround. The company projects that manufacturing and service related jobs could increase by 2.5 million to 5 million jobs by 2020. Given New York's strengths in these areas, the State must do more in

⁴ 18-a Surcharge Extension Will Harm New York's Economy, <http://area-alliance.org/index.php/2013/03/18-a-surcharge-extension-will-harm-new-yorks-economy/>

⁵ http://economix.blogs.nytimes.com/2013/09/23/more-manufacturing-coming-back-to-the-u-s/?_r=1

⁶ Ibid.



terms of reducing other costs of doing business in order to take advantage of this more favorable economic climate and to attract these new manufacturing jobs.

While much (well deserved) attention has been paid to the burden of real property taxes on homeowners, a significant share of real property taxes are paid by businesses. Of the \$49 billion in real property taxes levied in 2012, \$15 billion, or 30.8 percent, was paid by commercial/industrial parcels. An additional \$3.4 billion, or 6.9 percent, is paid by utility companies. Property taxes represent the largest share of taxes, at 37.8 percent, of all taxes paid by business.

Percent Share of Total Business Tax Burden	
Tax Type	Percent Share
Income Tax	14.5%
Sales Tax	18.9%
Property Tax	37.8%
Business Taxes	28.8%
Total	100.0%

Tax Credit for Real Property Taxes Paid by Manufacturers

The Commission believes that business property taxes need to be reduced. We recognize the large revenue base this tax provides to local governments. To focus our efforts on upstate manufacturing, the Commission recommends that the State develop a program to provide real property tax relief to manufacturers in New York. The program would take the form of a credit against corporate income taxes and would be equal to 20 percent of their annual real property taxes. If possible, the Commission would like to see the credit increased further for upstate manufacturers.

This credit would address what is arguably one of the major factors inhibiting the State's competitiveness in attracting new manufacturing businesses, especially in Upstate New York and the suburbs of New York City. The Commission estimates that the credit would provide \$136 million in annual tax relief to over 21,000 establishments⁷ in the manufacturing sector in New York.

IId. Rate Reduction for Upstate Manufacturers

The Commission also recommends the State take additional steps to provide tax relief for upstate manufacturers. To this end, the Commission recommends that the corporate income tax rate be reduced to 2.5 percent for manufacturers located outside of the MTA region, the lowest rate ever. This is estimated to provide an additional \$24 million in tax relief for over

⁷ This number includes firms with multiple locations.



4,300 Upstate businesses and would complement the proposal to reduce property taxes on manufacturers.

III. Estate Tax Reform

New York is one of only 17 states to impose an estate or inheritance tax. The estate tax is based on federal law as it existed in 1998, and is badly in need of reform. The federal exemption level is now \$5.25 million, while the State's estate tax exemption level is only \$1 million. Only two other states have an exemption below that amount.

The Commission recognizes the need to provide incentives to keep successful middle class homeowners, small businesses and farmers as New York residents. As a result, the Commission is also recommending a major reform of the estate tax. This reform will help to ensure that small businesses, including farms, are not forced out of business by the State's disproportionately low threshold for estate taxes. The proposed change also recognizes that estate tax thresholds have not been modified to keep pace with the value of homes owned by middle-income New Yorkers.

The current exemption threshold of \$1 million has been criticized as too low given significant increases in the value of assets that make up the majority of the value of estates. With rising home values and a healthy equity market, many middle class households are subject to New York's estate tax, while owing no federal estate tax. In addition, there are concerns that the low exemption level may serve as a factor in taxpayer migration from New York to other states (e.g., Florida) that do not impose an estate tax.

Raise the Threshold to the Current Federal Exemption of \$5.25 million

The American Taxpayer Relief Act of 2012 made permanent and modified aspects of the federal estate tax law. The unified exemption for estate and gift tax purposes was set at \$5 million and was indexed for inflation. In 2013 the amount is \$5.25 million. The Commission recommends equalizing the State exemption threshold with the Federal level of \$5.25 million, with indexing. The Commission also recommends lowering the "top" estate tax rate from its current rate of 16 percent to 10 percent.

The combination of an increase in the exemption to \$5.25 million along with a reduction in the top tax rate would exempt nearly 90 percent of all estates from the imposition of the estate tax, protect family farms and small businesses and eliminate the incentive for middle-class and wealthy New Yorkers to leave the State to avoid the tax.



IV. Tax Simplification Measures:

The Commission also recognizes the fine work that the Tax Simplification and Fairness Commission has undertaken.⁸ As noted, several of the major reforms recommended by this Commission are based on its work. The Commission would also like to recommend several of the tax simplification measures identified by the Fairness Commission, including:

- Elimination of the tax on Agricultural Cooperatives;
- Elimination of the Stock Transfer Tax;
- Repeal of the “Add On” Minimum Tax in the Personal Income Tax (PIT):

The report also identified administrative actions that could be taken immediately by the Department of Taxation and Finance. These recommendations also have merit and should be taken as soon as reasonably possible.

⁸ NYS Tax Reform and Fairness Commission, Final Report, November 2013,
<http://www.governor.ny.gov/assets/documents/greenislandandreportandappendicies.pdf>

STATE OF NEW YORK

967

2014-2015 Regular Sessions

IN SENATE

(Prefiled)

____ (date) _____

Introduced by _____ -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to amending the salary cap for District Superintendents

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1950(4)(a)(2) of the education law is amended to read as follows: Notwithstanding any inconsistent provision of law in no event shall the total salary including amounts paid pursuant to section twenty-two hundred nine of this chapter for district superintendents for each school year through the two thousand two--two thousand three school year exceed ninety-eight percent of that earned by the commissioner for state fiscal year nineteen hundred ninety-two--ninety-three, and in no event shall such total salary for a district superintendent for the two thousand three--two thousand four school year or any subsequent school year exceed: (i) one hundred six percent of the salary cap applicable in the preceding school year, or (ii) ninety-eight percent of that earned by the commissioner in the two thousand three--two thousand four state fiscal year, whichever is less. In no event shall any district superintendent be permitted to accumulate vacation or sick leave credits in excess of the vacation and sick leave credits managerial/confidential employees of the state are permitted to accumulate pursuant to regulations promulgated by the state civil service commission, nor may any district superintendent at the time of separation from service be compensated for accrued and unused vacation credits or sick leave, or use accrued and unused sick leave for retirement service credit or to pay for health insurance in retirement, at a rate in excess of the rate permitted to managerial/confidential employees of the state pursuant to regulations of the state civil service commission. In addition to the payment of supplementary salary, a board of cooperative educational services may provide for the payment of all or a portion of the cost of insurance benefits for the district superintendent of schools, including but not limited to health insurance, disability insurance, life insurance or any other form of insurance benefit made available to managerial/confidential employees of the state; provided that any such payments for whole life, split dollar or other life insurance policies having a cash value shall be included in the total salary of the district superintendent for purposes of

this subparagraph, and provided further that any payments for the employee contribution, co-pay or uncovered medical expenses under a health insurance plan also shall be included in the total salary of the district superintendent. Notwithstanding any other provision of law, payments for such insurance benefits may be based on the district superintendent's total salary or the amount of his or her supplementary salary only. Any payments for transportation or travel expenses in excess of actual, documented expenses incurred in the performance of duties for the board of cooperative educational services or the state, and any other lump sum payment not specifically excluded from total salary pursuant to this subparagraph, shall be included in the total salary of the district superintendent for purposes of this subparagraph. Nothing herein shall prohibit a district superintendent from waiving any rights provided for in an existing contract or agreement as hereafter prohibited in favor of revised compensation or benefit provisions as permitted herein. In no event shall the terms of the district superintendent's contract, including any provisions relating to an increase in salary, compensation or other benefits, be contingent upon the terms of any contract or collective bargaining agreement between the board of cooperative educational services and its teachers or other employees. The commissioner may adopt regulations for the purpose of implementing the provisions of this paragraph.

Education Law §1950(4)(a) places a specific salary cap on the District Superintendents in New York. When passed in the year 1993, the law capped the salary of BOCES superintendents at 98 percent of the Commissioner of Education's salary in the year 1994. Since the law was passed, the cap has been adjusted several times and is now set at 98 percent of the Commissioner's salary for the year 2003-2004, which is equal to \$166,762.^[11]

The legislative history shows a strong disdain for the high salaries of BOCES Superintendents around the time that the bill was passed, specifically in downstate counties such as Suffolk, Westchester, and Putnam.^[12] In 1993, Edward Murphy, a Superintendent of the BOCES in Suffolk County, received a retirement payout of \$960,000.^[13] The State would later bring a criminal case against Murphy in an attempt to recover money it deemed to have been an "illegally or improperly excessive amount of compensation". The Second Department of the Appellate Division ruled in favor of Murphy on the legality of the payments which motivated the legislative change and exonerated him of any criminal wrongdoing.^[14]

With the cap set at \$166,762, some BOCES Superintendents now make considerably less than colleagues in their region. For example, while the Superintendent of the Rockland BOCES has a capped salary, the Superintendent of East Ramapo (a school district included in the Rockland BOCES) made a salary of \$242,000 in the 2012-2013 school year, about 45 percent over the cap of BOCES Superintendents.^[15] Clearly, as the salary gap between Superintendents of School and District Superintendents widens, BOCES will have increasing difficulty in recruiting and retaining professional educators with the experience and judgment necessary to be successful BOCES leaders.

Some BOCES have found ways around the cap to increase the pay to the district leader. According to lohud.com the leader and former District Superintendent of the Southern Westchester BOCES earned \$243,403 in the 2012-2013 school year. The BOCES was able to do this by giving the former District Superintendent the title of "chief operating officer and deputy superintendent." In so doing, the BOCES removed the former district Superintendent from the coverage of the "cap" statute.

Southern Westchester BOCES did finally hire a true District Superintendent with a capped salary in July of 2013, but maintained that the previous educational leader would continue earning the same salary.^[16]

Though a bill to remove the salary cap for BOCES superintendents was introduced in the Assembly in 2011, it was referred to the Education Committee and the cap remains at 98 percent of the Commissioner's salary based on the year 2003-2004.^[17]

The drafters of the original bill intended to cap the salary at 98% of the Commissioner's salary, but because there have not been a timely adjustment, district Superintendent's salaries are now 78% of the Commissioner's pay and this percentage will continue to drop if nothing is done.

District Superintendents are not alone in experiencing a salary cap. New York Correction Law § 19 caps the salary of Superintendents of correctional facilities. Unlike BOCES District Superintendents, the superintendents of correctional facilities enjoy regular increases in their salaries.^[18]

The salary cap is not the only statutory limitation on the ability of District Superintendents to receive just compensation for their labors in furtherance of the State's educational mission. The Education law specifically prohibits any additional compensation to sitting District Superintendents who have been appointed by the Commissioner of Education as temporary or acting District Superintendent in another BOCES.^[19]

As a result of the important work carried out by BOCES in improving education in the State, Boards of Cooperative Educational Services require experienced leaders with the educational experience and business acumen to meet and overcome the challenges to make our youth successful in the new economy. The women and men currently serving in the District Superintendent positions are often called upon by the Commissioner to fulfill a role on his behalf in the field. Without the 37 BOCES District Superintendents and their leadership within their component districts, the Regent's reform agenda could not advance.

In the next few years, most of the State's BOCES District Superintendents will leave the profession for retirement. Throughout much of upstate BOCES has become the primary provider of vocational educational instruction to high school age students as well as the provider of quality educational and related services to multiply disabled and severely autistic students. In addition, many BOCES are established as regional information centers. These centers serve the State's public policy of closing the digital divide by providing high speed, high capacity internet services to students in small rural school districts. In addition, Regional Information Center employees provide those same school districts with the technical know how to install and operate state of the art information technology instruction and electronics records management. Finally, BOCES serves its component districts as a provider of shared services for everything from instruction in music to print shop services. See, New York Education Law 1950(4)(d), "d. (1) Aidable shared services. At the request of component school districts, and with the approval of the commissioner, provide any of the following services on a cooperative basis: school nurse teacher, attendance supervisor, supervisor of teachers, dental hygienist, psychologist, teachers of art, music, physical education, career education subjects, guidance counselors, operation of special classes for students with disabilities, as such term is defined in article eighty-nine of this chapter; pupil and financial accounting service by means of mechanical equipment; maintenance and operation of cafeteria or restaurant service for the use of pupils and teachers while at school, and such other services as the commissioner may approve."

Unless the tax cap law is amended recruitment and retention of quality leaders will be but a fond memory and a devout wish unfulfilled. We propose amending the law to remove

any reference to an academic year so that the salaries of District Superintendents may continue to stay competitive.

^[1] Education Law §1950(4)(a).

^[2] Memorandum of the Committee on Rules, Bill Jacket, L. 1993, ch. 295.

^[3] David M. Wilson, *BOCES leader's salary is 46% over the cap; title change sidesteps N.Y. limit*, The Journal News, available at <http://www.lohud.com/article/20120715/NEWS02/307150026/BOCES-leader-s-salary-46-over-cap-title-change-sidesteps-N-Y-limit>.

^[4] State v. Murphy, 235 A.D.2d 554 (NY 1997).

^[5] *Administrative Compensation Information*, New York State Education Department, available at <http://www.p12.nysed.gov/mgtser/admincomp/docs/2012-13admincomp.pdf>.

^[6] Randi Weiner, Southern Westchester BOCES hires superintendent, had defied state for 3 years, The Journal News, available at <http://www.lohud.com/article/20130726/NEWS/307260080/Southern-Westchester-BOCES-hires-superintendent-had-defied-state-3-years>.

^[7] A. 3147 234th Sess. (N.Y. 2011).

⁸ New York Correction Law § 19(1) (a), (b).

⁹See, New York Education Law § 2204(4), “4. Whenever a district superintendent from one supervisory district is appointed to be a temporary or acting superintendent in another supervisory district, he or she shall not receive any compensation for duties associated with the temporary or acting position.”

Self Assessment Tool Demonstration

ACT FAST

Avoid Crisis Tomorrow with Fiscal Awareness Strategies for Today

Comptroller DiNapoli's Fiscal Stress Initiative

Question and Answer Session



Office of the State Comptroller

Thomas P. DiNapoli

Office of State & Local Government Accountability

Andrew A. SanFilippo

Executive Deputy Comptroller

ACT FAST

- ▶ Comptroller DiNapoli has directed our agency to provide an extensive array of services for fiscally stressed localities that choose to ask for our assistance.
- ▶ These services will include an accelerated risk assessment, self help tools, a variety of training opportunities, and technical assistance from many of OSC's professional team members.

Website Demo

Fiscal Stress Management Tools & Resources (cont'd)

Policy Research

- ▶ Research brief: Fiscal Stress Drivers and Coping Strategies
 - Class level/regional analysis
- ▶ Fiscal profiles



Fiscal Stress Management Tools & Resources (cont'd)

Training and Outreach

- ▶ Local Government Leadership Institutes
 - Watertown, New Paltz
- ▶ Webinar series, 2013
- ▶ Partnering opportunities
- ▶ Tailored workshops
 - Self-assessment tool
 - Capital planning template
 - Multiyear planning template

FSMS Tentative Schedule

▶ Publication of Lists

- Once all information is vetted
- Tentatively 6 months after the close of the fiscal year
 - FYE 12/31/2012 – Counties/Towns/Cities/Villages
 - FYE 5/31/2013 – Villages
 - FYE 6/30/2013 – School Districts
 - Non-Calendar Cities

▶ List Updates

Fiscal Stress Management Tools & Resources

▶ Website Enhancements

- Fiscal Stress Website
 - Data, Lists, Quick Reference Guide, FAQs etc.

▶ Interactive Self-Help Suite

- Self-Assessment Tool
- Capital Planning Template
- Multiyear Planning Template

Common Stress Indicators

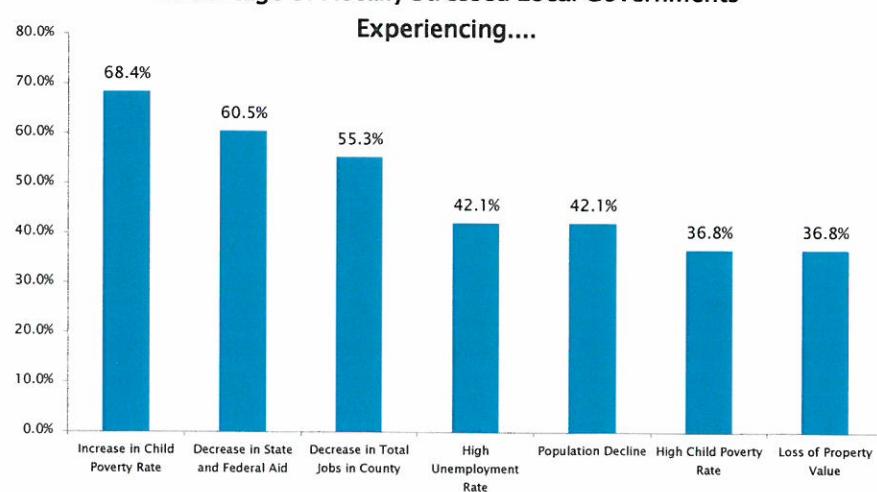
- ▶ Municipalities in some Level of Fiscal Stress: 38
- ▶ Showing Stress by Indicators
 - Low Fund Balance: 38
 - Operating Deficits: 35
 - Low Cash: 31
 - Short-Term Debt: 13
 - High Fixed Costs: 11

Common Environmental Themes

- ▶ Municipalities in some Level of Fiscal Stress: 38

Percentage of Fiscally Stressed Local Governments

Experiencing....



FSMS Process

► First Scores – Released June 18, 2013, updated September 25, 2013

◦ Local Governments with FYE Dec 31, 2012

• Counties –	57
• Cities –	44
• Towns –	932
• Villages –	10
• Total:	1,043

◦ Data as of August 30, 2013

FSMS Scores (as of 8/30/13)

► Significant Fiscal Stress: 12

► Moderate Fiscal Stress: 9

► Susceptible to Fiscal Stress: 17

► Under Review: 3

► No Designation: 948

► Not Filed: 54*

► Total: 1,043

► * excludes 3 coterminous towns/villages

Scoring Basics

► **Fiscal Stress Categories:**

- Significant Fiscal Stress ($\geq 65\% SDs$)
- Moderate Fiscal Stress ($\geq 45\% SDs$)
- Susceptible to Fiscal Stress ($\geq 25\% SDs$)
- No Designation ($< 25\% SDs$)
- Under Review
- Have Not Filed

► **Environmental Stress Categories:**

- ### ($\geq 60\% SDs$)
- ## ($\geq 45\% SDs$)
- # ($\geq 30\% SDs$)
- No Designation ($< 30\% SDs$)

FSMS Process

- Data is Self Reported
- Objective Score Based Upon Certified ST-3
- Data Screened for Reliability and Fiscal Condition
- Examiner Review
 - False Positives
 - False Negatives

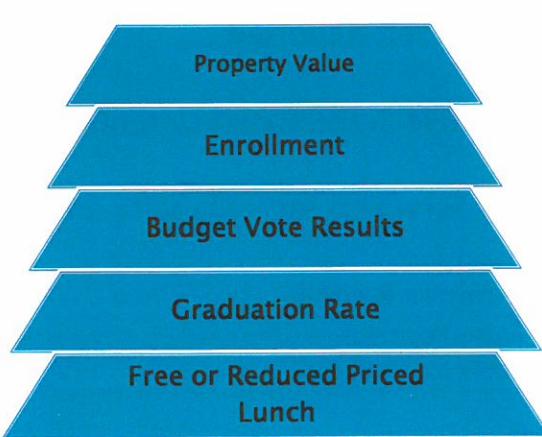
Fiscal Indicators

- ▶ School Districts
 - 7 Indicators
 - 4 Categories



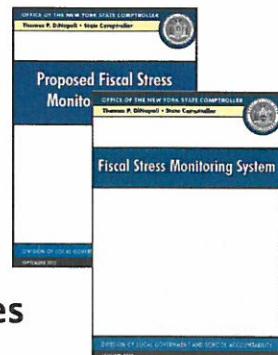
Environmental Indicators

- ▶ School Districts
 - 6 Indicators
 - 5 Categories



Development of the System

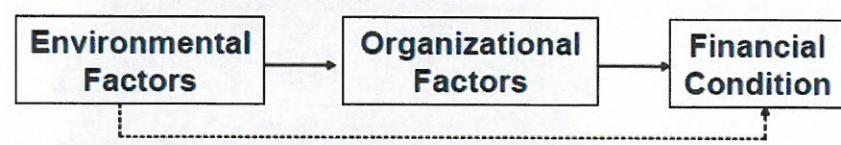
- ▶ OSC Resources
- ▶ Research Reports
- ▶ ICMA Guidance
- ▶ Systems Used In Other States
- ▶ Proposed System with Public Comment Period



Financial Condition is...

An Outcome

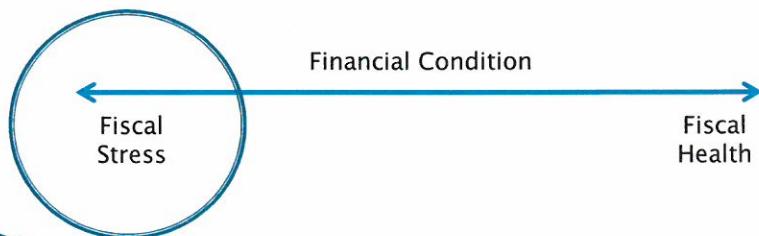
Things we can measure



Financial condition is a function of BOTH environmental factors AND the local government's response to these factors.

Fiscal Stress Is...

- ▶ The inability to generate enough revenues to meet expenditures. (Budgetary Solvency)
- ▶ Judgment about financial condition. One side of a continuum.



Fiscal Stress Monitoring System

Guiding Principles:

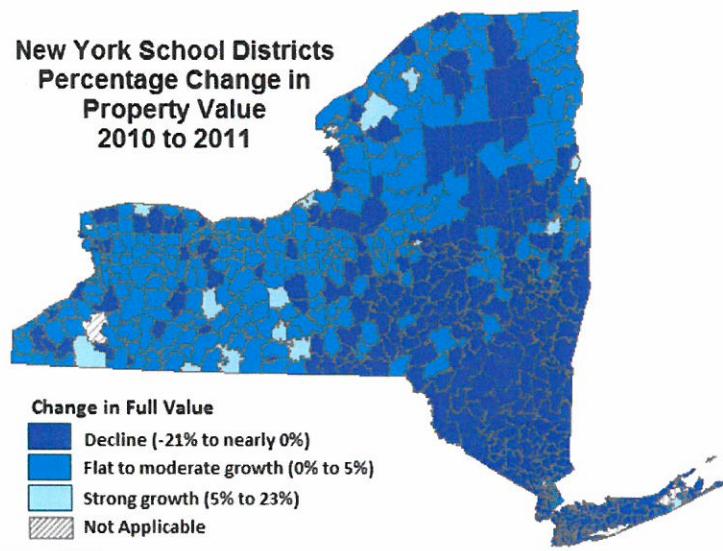
Meaningful
Manageable in Number
Come From Existing Data
Create No Additional Reporting

Transparent and Easy to
Understand

Comparable Over Time

Housing Market – Impact on Property Values

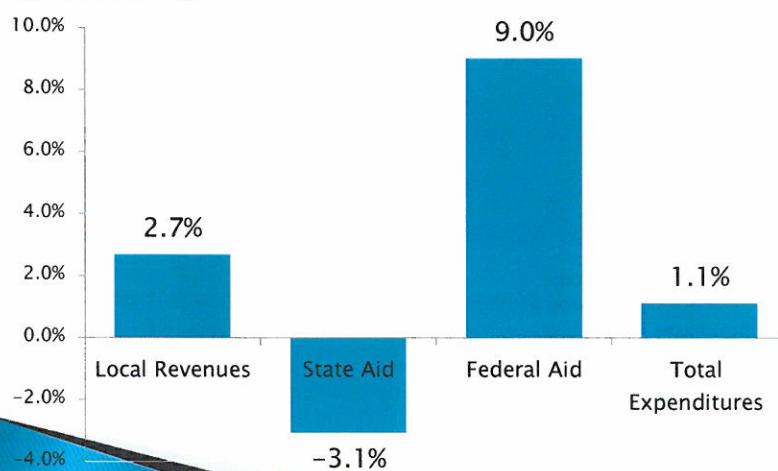
New York School Districts
Percentage Change in
Property Value
2010 to 2011



School District Finances

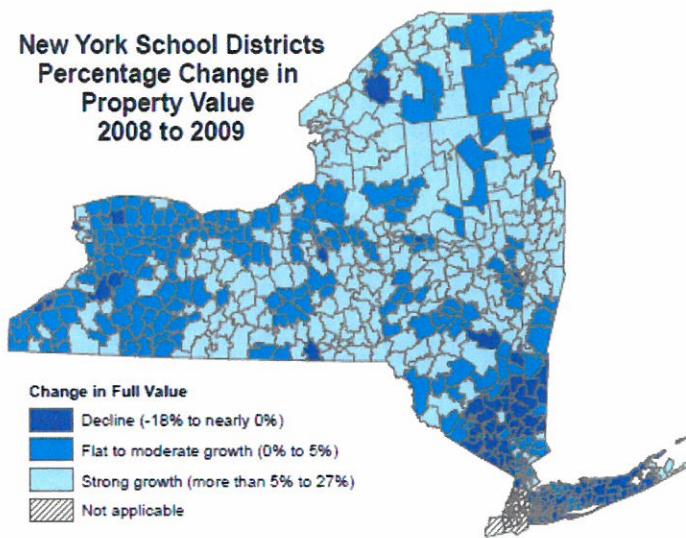
Average Annual % Change

(2009 to 2012)



Housing Market – Impact on Property Values

New York School Districts
Percentage Change in
Property Value
2008 to 2009

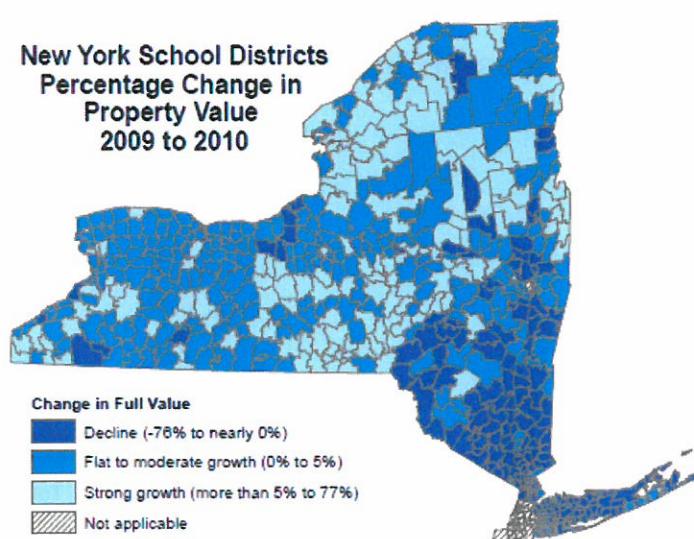


Change in Full Value

- Decline (-18% to nearly 0%)
- Flat to moderate growth (0% to 5%)
- Strong growth (more than 5% to 27%)
- Not applicable

Housing Market – Impact on Property Values

New York School Districts
Percentage Change in
Property Value
2009 to 2010

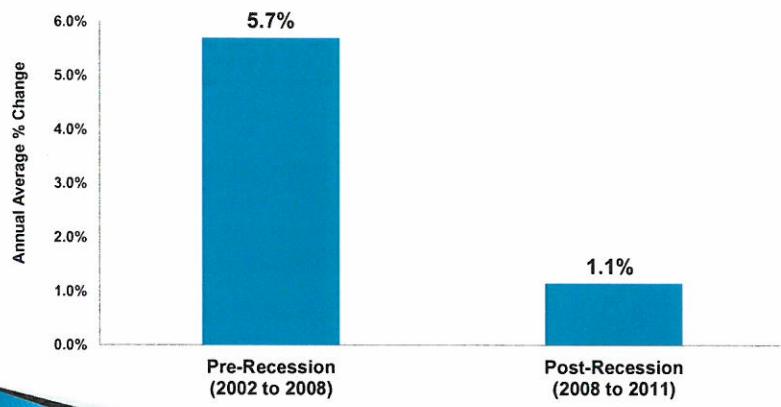


Change in Full Value

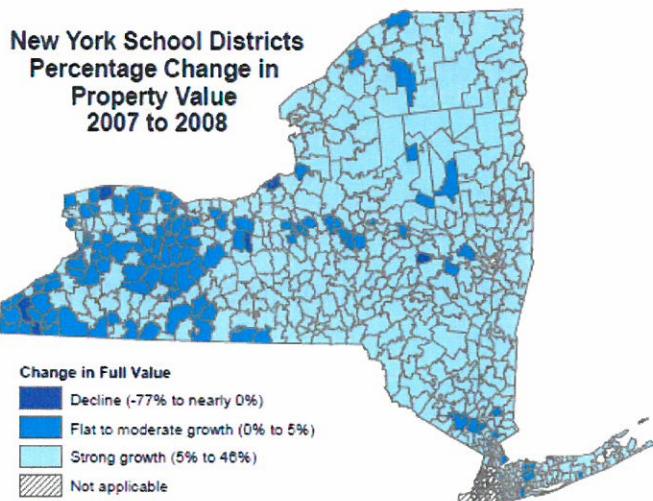
- Decline (-76% to nearly 0%)
- Flat to moderate growth (0% to 5%)
- Strong growth (more than 5% to 77%)
- Not applicable

Why Focus on Fiscal Stress?

Impact of the Recession: New York State Per Capita Personal Income Growth



Housing Market – Impact on Property Values



ACT FAST

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The Fiscal Stress Monitoring System

Comptroller DiNapoli's Fiscal Stress Initiative



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Executive Deputy Comptroller

Presenter

- ▶ Janet Mayo, Ph.D.
Manager of Monitoring and Analysis

Agenda

- ▶ Background
- ▶ Overview of the Fiscal Stress Monitoring System
- ▶ Demonstration of Website
- ▶ Walk Through of Self-Assessment Tools