

# **EDUCATION, LABOR & FAMILY ASSISTANCE**

**Summary of Recommended Appropriations  
By Agency**

## COUNCIL ON THE ARTS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	47,084,783	39,988,000	(7,096,783)	-15.1%
Special Revenue-Other	3,846,000	1,730,000	(2,116,000)	-55.0%
Special Revenue-Federal	2,913,000	2,513,000	(400,000)	-13.7%
<b>Total for AGENCY SUMMARY:</b>	<b>53,843,783</b>	<b>44,231,000</b>	<b>(9,612,783)</b>	<b>-17.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	44	34	(10)
<b>TOTAL:</b>	<b>44</b>	<b>34</b>	<b>(10)</b>

#### Agency Mission

(Executive Budget: pp. 3-7)

The New York State Council on the Arts (NYSCA) is responsible for the oversight and administration of the cultural and artistic resources of the Council on the Arts, the Empire State Plaza Performing Arts Center Corporation and the New York State Theatre Institute. NYSCA is also responsible for administering grants to local non-for-profit arts organizations.

The Department is included in the Education, Labor, and Family Assistance appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- A decrease of \$6,453,000 in funding for NYSCA grants from SFY 2009-10 levels.
- Elimination of \$584,000 of funding for the Empire State Plaza Performing Arts Center Corporation.
- Reduction of \$1,532,000 of funding for the New York State Theatre Institute.

## **Budget Detail**

The Executive Budget proposal includes an All Funds appropriation of \$44,231,000, a decrease of \$9,612,783 or 17.9 percent, below SFY 2009-10 levels. The Executive recommends funding support for 34 full-time equivalent (FTE) positions, a decrease of 10 from SFY 2009-10 levels.

### **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$6,472,000, a decrease of \$2,760,000 or 29.9 percent from adjusted SFY 2009-10 levels.

#### **Proposed Decreases**

The Executive recommends the following:

- a decrease of \$1,532,000 in funding support for the New York State Theatre Institute;
- a decrease of \$644,000 due a reduction of 10 FTE positions at the New York State Council on the Arts; and
- a decrease of \$584,000 in funding support for the Empire State Plaza Performing Arts Center Corporation.

### **Aid to Localities**

The Executive proposes an All Funds Aid to Localities appropriation of \$37,759,000, a decrease of \$6,852,783 or 15.4 percent from adjusted SFY 2009-10 levels.

## Proposed Decreases

The Executive recommends the following:

- a decrease of \$6,453,000 in funding to support arts grants from SFY 2009-10; and
- a decrease of \$400,000 due to an elimination of one-time federal funding for arts grants.

## Article VII

The Executive recommends Article VII legislation that would:

- require the New York State Theatre Institute and the Empire State Plaza Performing Arts Center Corporation to become self-supporting and no longer receive state appropriations.

# CITY UNIVERSITY OF NEW YORK

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	1,245,027,840	1,216,362,110	(28,665,730)	-2.3%
Special Revenue-Other	145,000,000	145,000,000	0	0.0%
Special Revenue-Federal	2,978,000	7,554,000	4,576,000	153.7%
Fiduciary	1,957,826,900	1,066,866,000	(890,960,900)	-45.5%
Cap Proj Fund - CUNY - Direct Auth Bonds	284,222,000	318,785,000	34,563,000	12.2%
<b>Total for AGENCY SUMMARY:</b>	<b>3,635,054,740</b>	<b>2,754,567,110</b>	<b>(880,487,630)</b>	<b>-24.2%</b>

### Agency Mission

(Executive Budget: pp. 11-15)

The City University of New York (CUNY) is the third largest public university system in the nation, comprised of 19 campuses, seven community colleges, one technical college, a graduate school and an affiliated medical school. CUNY's mission is to provide affordable higher education with a focus on the urban community of New York City.

This agency is included in the Education, Labor and Family Assistance appropriation bill.

### Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- A \$63,600,000 decrease in State Support for CUNY Senior Colleges to \$576,587,000.
- Authorization to the CUNY Board of Trustees to annually increase tuition at an amount up to 2.5 times the five year rolling average of the Higher Education Price Index. This would allow the CUNY Board of Trustees to increase in-state undergraduate tuition to \$5,037 from \$4,600. Appropriations for tuition are removed from the budget making process and the CUNY Board of Trustees would also be authorized to offer differential tuition by campus and program.

- A \$285 per full time equivalent (FTE) student decrease in CUNY Community College Base Aid, decreasing support from \$2,545 per FTE in SFY 2009-10 to \$2,260 per FTE in SFY 2010-11.

### **Budget Detail**

The Executive proposes an All Funds appropriation of \$2,754,567,110, a decrease of \$880,960,900, from SFY 2009-10.

### **State Operations**

The Executive proposes a total Senior College Academic Year operating budget of \$1,066,866,000, a \$890,960,900 decrease from SFY 2009-10 levels.

#### **Proposed Increases**

The Executive proposes:

- a \$55,066,000 increase in fringe benefits;
- a \$21,751,000 increase in personal service costs and collective bargaining;
- a \$11,010,000 increase due to an increase in tuition sharing from the 2009-10 tuition increase;
- a \$8,136,000 increase due to inflation involving non personal service costs;
- a \$5,627,000 increase due to increased building rental costs; and
- a \$850,000 increase to utility funding.

#### **Proposed Decreases**

The Executive proposes:

- a \$909,000,000 decrease from moving tuition and other self generating accounts outside the budget process;
- a \$63,629,000 decrease in State General Fund support for CUNY Senior Colleges; and
- a \$20,767,000 decrease due to negotiated personal service savings.

## **Aid to Localities**

The Executive proposes a total Aid to Localities appropriation of \$1,223,916,110 for SFY 2010-11 representing a \$24,089,730 decrease below adjusted SFY 2009-10 levels. Of this appropriation, \$1,059,965,000 would support the SFY 2009-10 costs for operating CUNY Senior Colleges and \$154,397,110 would support CUNY Community Colleges. Within this appropriation, funding is maintained for Contract Courses for workforce development (\$1,880,000), CUNY childcare (\$813,100) and the College Discovery program (\$828,390) at SFY 2009-10 levels.

### **Proposed Increases**

The Executive proposes:

- a \$18,630,250 increase in Community College Base Aid resulting from enrollment increases;
- a \$19,049,000 increase in federal American Recovery & Reinvestment Act (ARRA) funding for community colleges; and
- an increase of \$1,824,000 to Rental Aid.

### **Proposed Decreases**

The Executive proposes:

- a \$19,049,000 reduction to General Fund spending on community colleges. These funds are replaced on a one time basis by ARRA funds; and
- a \$16,394,625 reduction in CUNY Community College Base Aid resulting from a \$285 per FTE reduction from \$2,545 in SFY 2009-10 to \$2,260 in SFY 2010-11.

## **Capital Projects**

The Executive proposes a capital projects appropriation of \$318,785,000, an increase of \$34,563,000 from SFY 2009-10 levels. This includes an appropriation of \$284,222,000 which is the third year of the five year CUNY capital plan for critical maintenance that was enacted in SFY 2008-09. It also includes \$34,563,000 to provide for the state's 50% share of projects at CUNY Community Colleges.

## **Article VII**

The Executive recommends Article VII legislation to enact the New York State Higher Education Empowerment and Innovation Act that would:

- authorize the CUNY Board of Trustees to be able to set their own tuition based on the 5 year rolling average of the Higher Education Price Index. The Board of Trustees could also offer differential tuition by campus and program;
- remove the provisions of law subjecting CUNY to pre-approval of contracts by the Office of the State Comptroller;
- allow CUNY and the Dormitory Authority of New York to utilize alternative construction delivery methods for certain CUNY projects; and
- increase CUNY's master planning cycle with the Board of Regents from four years to eight years.



## EDUCATION DEPARTMENT

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	19,094,672,629	18,593,330,000	(501,342,629)	-2.6%
Special Revenue-Other	6,386,930,625	6,239,779,000	(147,151,625)	-2.3%
Special Revenue-Federal	7,271,910,000	7,224,996,000	(46,914,000)	-0.6%
Capital Projects Fund	2,800,000	6,800,000	4,000,000	142.9%
Capital Projects Fund - Authority Bonds	4,000,000	0	(4,000,000)	-100.0%
Internal Service Fund	31,226,000	31,563,000	337,000	1.1%
Library Aid (Auth Bonds)	14,000,000	14,000,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>32,805,539,254</b>	<b>32,110,468,000</b>	<b>(695,071,254)</b>	<b>-2.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	376	323	(53)
All Other Funds:	2,622	2,592	(30)
<b>TOTAL:</b>	<b>2,998</b>	<b>2,915</b>	<b>(83)</b>

### Agency Mission

(Executive Budget: pp. 17-34)

The State Education Department (SED) is the administrative agency of the Board of Regents. The Department oversees public elementary and secondary education programs throughout New York and promotes educational excellence, equity and cost effectiveness. The mission of the SED is to raise the knowledge, skill level and opportunity of all the people in New York.

The SED is included in the Education, Labor and Family Assistance appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- The Executive recommends funding General Support for Public Schools (GSPS) at \$20,695,660,000 in School Year (SY) 2010-11, which is a decrease of \$1,071,530,000 or 4.92 percent from the 2009-10 SY.
- The Executive recommends a \$1,412,150,000 net reduction to School Aid which would be comprised of a one year \$2,138,000,000 Gap Elimination Adjustment offset by \$726,000,000 in federal American Recovery and Reinvestment Act funds. The GEA calculation uses a variety of factors including district wealth, student need, administrative efficiency, and residential tax burden.
- The Executive recommends holding Foundation Aid to 2008-09 funding levels for the 2010-11 School Year as planned, and would continue this freeze in SY 2011-12. The full phase-in of Foundation Aid would now occur over a ten year period (complete in 2016-17) rather than seven years (complete in 2013-14).
- The Executive recommends continuing reimbursable programs including Building Aid, Board of Cooperative Educational Services (BOCES), Excess Cost Aids and Transportation Aid at present law levels.
- The Executive proposes holding funding for Universal Prekindergarten flat at \$399,720,000 for the 2010-11 and 2011-12 School Years.
- The Executive proposes restructuring the payment of aid for disabled pupils attending Summer School programs (4408), which will result in a shift of costs onto school districts in an amount estimated to be \$86,000,000 in SY 2010-11.

## **Budget Detail**

For SY 2010-11 the Executive provides a decrease of \$1,071,530,000 in General Support for Public Schools (GSPS) below SY 2009-10 levels, for total funding of \$20,695,660,000, a 4.92 percent decrease from the prior year. The Executive appropriates \$32,110,468,000 on an All Funds basis to SED in SFY 2010-11. The Executive proposes a reduction of 83 full-time equivalent (FTE) positions.

## State Operations

### Proposed Decreases

- The Executive recommends a decrease of \$4,700,000 in General Fund support for State Operations in SFY 2010-11. Total State Operations funding is \$587,625,000; of this amount, Federal funding is \$363,198,000, and General Fund dollars account for \$42,564,000. Remaining funding for the Department comes from Internal Service Funds and Special Revenue Other Funds. As a result, General Fund support for the State Education Department is approximately 7 percent of their total budget. The Executive recommends reducing staffing levels to 2,915 positions for SED. This would leave a total of 323 positions or approximately 11 percent supported by the General Fund.

## Aid to Localities

### FORMULA BASED AIDS: GENERAL SUPPORT FOR PUBLIC SCHOOLS (GSPS)

The Executive proposes:

- funding Foundation Aid at \$14,892,220,000, which is the same level of funding as in SY 2009-10. Foundation Aid funding would remain level through SY 2011-12, and the statutory phase-in for full funding would be extended by three years to SY 2016-17;
- funding Universal Prekindergarten (UPK) at \$399,720,000, which is the same level of funding as SY 2009-10. UPK funding would remain level through SY 2011-12;
- funding High Tax Aid at \$204,770,000, which is the same level of funding as in SY 2009-10. High Tax Aid funding would remain level through SY 2011-12;
- funding the Supplemental Education Improvement Grant for Yonkers at \$17,500,000, which is the same level of funding as in SY 2009-10. This funding would remain level through SY 2011-12;
- funding for Academic Enhancement Aid at \$8,320,000, which is the same level of funding as in SY 2009-10. This funding goes to certain school districts with extraordinary needs. This funding would remain level through SY 2011-12;
- funding Supplemental Public Excess Cost Aid at \$4,310,000, which is the same level of funding as in SY 2009-10. This funding would remain level through SY 2011-12;
- funding Reorganization Operating Aid at its present law level of \$2,860,000, which is the same level of funding as in SY 2009-10; and

- funding the Academic Achievement Grant for New York City at \$1,200,000, which is the same level of funding as in SY 2009-10. This funding would remain level through SY 2011-12.

### Proposed Increases

The Executive proposes:

- funding Building Aid and Building Reorganization Aid at their present law level of \$2,485,730,000, which is an increase of \$221,840,000 over SY 2009-10;
- funding Transportation Aid at its present law level of \$1,646,660,000, which is an increase of \$99,720,000 over SY 2009-10;
- funding BOCES at its present law level of \$731,910,000, which is an increase of \$33,040,000 over SY 2009-10;
- funding High Cost Excess Cost Aid at its present law level of \$454,120,000, which is an increase of \$10,200,000 over SY 2009-10;
- funding Private Excess Cost Aid at its present law level of \$328,970,000, which is an increase of \$14,060,000 over SY 2009-10;
- funding Computer Software Aid at its present law level of \$45,790,000, which is an increase of \$330,000 over SY 2009-10;
- funding Charter School Transition Aid at \$21,840,000, which is an increase of \$3,170,000 over SY 2009-10 levels; and
- funding the EXCEL program to pay debt service at \$168,950,000, which is an increase of \$14,910,000 above SY 2009-10.

### Proposed Decreases

The Executive proposes:

- creating a one time Gap Elimination Adjustment (GEA) which would decrease funding by \$2,138,000,000, which is then offset by federal funds, resulting in a net reduction in aid for school districts of \$1,412,150,000. The GEA would be applied to formula based aids excluding Building Aid and Universal Prekindergarten. The GEA calculation is based on a per pupil amount, adjusted for wealth, student need, administrative efficiency, and residential tax burden and modified for high need school districts;

- funding Special Services Aid at its present law level of \$199,700,000, which is a decrease of \$6,710,000 from SY 2009-10;
- funding Textbook Aid at its present law level of \$181,380,000, which is a decrease of \$1,120,000 from SY 2009-10;
- funding Computer Hardware Aid at its present law level of \$37,430,000, which is a decrease of \$420,000 from SY 2009-10;
- funding Library Materials Aid at its present law level of \$19,260,000, which is a decrease of \$60,000 from SY 2009-10; and
- a decrease of \$7,345,000 from SY 2009-10. based on the expectation that no districts will be eligible for Full Day Kindergarten funding in the 2010-11 SY.

#### GRANT PROGRAMS AND ADDITIONAL AID CATEGORIES: GSPS

The Executive proposes:

- Maintaining funding for Employment Preparation Education (EPE), School Health Services, Bilingual Education, Special Act School Districts, BOCES Aid for Special Act Districts, Learning Technology Grants, Native American Education, Supplemental Valuation Impact Grants, and Bus Driver Safety at SY 2009-10 levels;
- funding Education of OMH/OMR Pupils at its present law level of \$69,000,000, which is the same level as SY 2009-10;
- funding Incarcerated Youth at its present law level of \$17,500,000, which is the same level as SY 2009-10;
- funding Homeless Pupils at its present law level of \$9,225,000, which is the same level as SY 2009-10;
- funding Urban-Suburban Transfer at its present law level of \$2,730,000, which is the same level as SY 2009-10; and
- funding Native American Building Aid at its present law level of \$2,500,000, which is the same level as SY 2009-10;

#### Proposed Decreases

The Executive proposes:

- reducing the Special Academic Improvement Grant for the Roosevelt Union Free School District to \$6,000,000 for the 2010-11 and 2011-12 School Years. This program is restored to \$12,000,000 in SY 2012-2013.

## OTHER ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

The Executive proposes:

- continuing Fiscal Stabilization Grants of \$30,022,000, which is the same funding level as SY 2009-10;
- maintaining the Extended Day/School Violence Prevention program at \$24,344,000;
- continuing Prior Year Claims at \$15,046,000, which is the same funding level as SY 2009-10;
- continuing Charter School Start-Up Grants at \$4,837,000, which is the same funding level as SY 2009-10;
- maintaining \$3,049,000 for the Summer Food Program, which is the same funding level as SY 2009-10;
- continuing funding for Adult Basic Education at \$1,843,000;
- continuing Math and Science High Schools funding at \$1,382,000, which is the same funding level as SY 2009-10. This program is funded by the Federal American Recovery and Reinvestment Act of 2009;
- continuing Targeted Prekindergarten at \$1,303,000, which is the same funding level as SY 2009-10;
- continuing the County Vocational Education and Extension Boards at \$932,000, which is the same funding level as SY 2009-10;
- continuing Academic Intervention Services for Nonpublic Schools at \$922,000;
- continuing Primary Mental Health Project at \$894,000, which is the same funding level as SY 2009-10;
- funding of \$691,000 for the Health Education Program, which is the same funding level as SY 2009-10;

- continuing the Statewide Center for School Safety at \$466,000, which is the same funding level as SY 2009-10;
- continuing Student Mentoring and Tutoring Initiative at \$490,000, which is the same level as SY 2009-10;
- maintaining funding for the Syracuse City School District for the Say Yes to Education program at \$350,000, which is the same funding level as SY 2009-10. This program is funded by the Federal American Recovery and Reinvestment Act of 2009; and
- continuing Education of Children of Migrant Workers at \$89,000, which is the same funding level as SY 2009-10;

### Proposed Increases

The Executive proposes new funding to:

- provide \$60,000,000 to reimburse school districts for costs associated with the payment of the Metropolitan Commuter Transportation Mobility Tax; and
- create the Smart Scholars Early College High Schools program with \$6,000,000;

The Executive proposes:

- increasing Preschool Special Education (4410) to \$813,900,000, which is an increase of \$91,100,000. This program is partially funded by the Federal American Recovery and Reinvestment Act of 2009;
- increasing funding to Private Schools for the Blind and the Deaf to \$112,340,000, which is an increase of \$1,897,763 over SY 2009-10; and
- increasing funding for the School Lunch and Breakfast Program to \$32,300,000. This is a \$600,000 increase over SY 2009-10.

### Proposed Decreases

The Executive proposes:

- reducing the Summer School Handicapped program (4408) by \$35,003,948 below SY 2009-10 funding levels. This program would be funded at \$212,200,000 for SY 2010 11. This amount includes \$24,000,000 for Summer School Special Education programs at Private Schools for the Blind and Deaf;
- reducing Nonpublic School Aid by \$1,500,000 to \$109,105,000 in SY 2010-11;

- decreasing funding for the Consortium for Worker Education (CWE) set aside by \$1,500,000 below SY 2009-10 levels, leaving funding for this program at \$11,500,000;
- reducing Adult Literacy Education by \$2,000,000 leaving funding for this program at \$4,293,000;
- eliminating Salary Enhancements for Teachers in Schools for Students with Special Needs, which was funded at \$2,000,000 in SY 2009-10. Federal funds of \$4,000,000 are continued;
- eliminating \$1,751,000 of funding for Schools Under Registration Review (SURR);
- reducing Summer School of the Arts to \$1,481,000, which is \$109,000 below the 2009 10 funding level;
- eliminating funding for Workplace Literacy, which was funded at \$1,000,000 in SY 2009-10;
- eliminating funding for Special Act School Districts for additional costs associated with academic programs, which was funded at \$1,300,000 in SY 2009-10;
- reducing funding for the Center for Autism and Related Disabilities at SUNY Albany by \$500,000 from SFY 2009-10, leaving funding for this program at \$490,000. In addition, \$500,000 in Federal funds are continued;
- eliminating Council for the Humanities, which was funded at \$450,000 in SY 2009-10;
- eliminating the Mount Vernon In School Suspension program, which was funded at \$400,000 in SY 2009-10;
- eliminating Transferring Success, which was funded at \$314,900 in SY 2009-10;
- eliminating funding for Bard High School Early College, which was funded at \$300,000 in SY 2009-10;
- eliminating funding for Tech Valley High School, which was funded at \$300,000 in SY 2009-10;
- eliminating Helping Involve Parents for Better Schools program in the Buffalo City School District, which was funded at \$250,000 in SY 2009-10;
- eliminating funding for the New York State Historical Association, which was funded at \$180,000 in SY 2009-10;



- eliminating funding for the New York State Center for Rural Schools at Cornell University, which was funded at \$175,000 in SY 2009-10; and
- eliminating the Project Boost Program, which was funded at \$100,000 in SY 2009-10.

## TEACHER PROGRAMS

The Executive proposes:

- maintaining Teachers of Tomorrow at last year's level of \$25,000,000;
- funding the Teacher Mentor Intern program at \$2,000,000, which is the same level as SFY 2009-10 funding. This program is funded through the Federal American Recovery and Reinvestment Act of 2009; and
- funding the National Board for Professional Teaching Standards Certification at last year's level of \$490,000.

### Proposed Decrease

The Executive proposes:

- eliminating funding for Teacher Resource and Computer Training Centers, which were funded at \$35,000,000 in SY 2009-10. This program was funded through the Federal American Recovery and Reinvestment Act of 2009.

## FEDERAL AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

The Executive proposes appropriating the following additional Federal American Recovery and Reinvestment Act funds:

- funding of \$843,000,000 for the State Fiscal Stabilization-Education Fund
  - \$726,000,000 for SY 2010-11 to offset the Governor's GEA;
  - \$89,000,000 for suballocations to the State University of New York and City University of New York; and
  - \$28,000,000 in remaining funds;
- funding of \$750,000,000 for the State Fiscal Stabilization-State Incentive Grants in anticipation of a Race To The Top (RTTT) award;
- funding of \$454,000,000 for Part A of Title I of the Elementary and Secondary Education Act (ESEA);

- funding of \$398,000,000 for the Individuals with Disabilities Education Act (IDEA);
- funding of \$135,000,000 for School Improvement Grants provided to Title I of the ESEA;
- funding of \$28,000,000 for Educational Technology Grants to carry out Part D of Title II of the ESEA;
- funding of \$20,000,000 for the Teacher Incentive Fund Program;
- funding of \$15,000,000 for Case Services provided to individuals with disabilities;
- funding of \$1,700,000 for Title VII Subtitle B of the McKinney-Vento Homeless Assistance Act;
- The Executive proposes funding the following for administrative non-personal service expenses:
  - \$10,000,000 for Statewide Data Systems Grant Program provided under Section 208 of the Educational Technical Assistance Act;
  - \$1,000,000 for Title I of the ESEA;
  - \$14,000,000 for School Improvement Grants provided pursuant to Section 1003 (g), of Title I of the ESEA; and
  - \$2,800,000 for Educational Technology Grants to carry out Part D of Title II of the ESEA.

## VESID

For SFY 2010-11 the Executive proposes:

- funding Case Services at \$54,000,000, which is the same level of funding as in SFY 2009-10;
- funding Supported Employment at \$15,160,000, which is the same level of funding as in SFY 2009-10;
- funding Independent Living Centers at \$12,361,000, which is the same as the SFY 2009 10 funding level; and
- funding College Readers Aid at \$294,000, which is the same as SFY 2009-10 funding.

## CULTURAL EDUCATION

For SFY 2010-11 the Executive proposes maintaining Capital funding of \$14,000,000 for library construction and renovation purposes. The Executive budget also proposes to continue aid for Documentary Heritage grants at \$461,000, which is the same level of funding as in SFY 2009-10 levels.

The Executive proposes:

- funding Educational Television and Radio at \$15,002,000, which is the same level of funding as in SFY 2009-10 levels. This is partially funded by the Federal American Recovery and Reinvestment Act of 2009.

#### Proposed Decreases

The Executive proposes:

- funding Aid for Public Libraries at \$84,458,000, which is a reduction of \$2,400,000 from SFY 2009-10 levels;
- funding grants to local governments through the Local Government Records Management Improvement Fund at \$8,346,000, which is a reduction of \$1,193,000 from SFY 2009-10 levels; and
- reducing Talking Book and Braille Library to \$602,000, which is \$180,000 below the 2009-10 funding level.

### HIGHER EDUCATION AND THE PROFESSIONS

For SFY 2010-11 the Executive proposes:

- funding Liberty Partnerships at \$10,842,000, which is the same as SFY 2009-10 funding levels;
- maintaining funding of the Higher Education Opportunity Program at SFY 2009-10 funding level of \$20,783,000;
- funding the Science and Technology Program at last year's level of \$9,774,000; and
- funding Collegiate Science and Technology Program at \$7,406,000, which is the same as SFY 2009-10 funding levels; and

#### Proposed Decrease

The Executive proposes:

- funding Unrestricted Aid to Independent Colleges and Universities at \$39,032,000 which is a reduction of \$700,000 from SFY 2009-10 levels.

## Capital Projects

The Executive proposes:

- funding Library Construction at \$14,000,000, which is the same level of funding as in SY 2009-10; and
- funding various minor rehabilitation projects to keep State Education Department facilities in a safe operating condition at \$6,800,000.

## Article VII

The Executive recommends Article VII legislation that would:

- provide for the continuation of the Contract for Excellence program in 2010-11 School Year and require all current Contract Districts to continue in the program unless all schools within the District are reported as being in “good standing”;
- modify the Contract for Excellence Program by requiring districts to maintain current (2009-10) expenditures on Contract programs in 2010-11 reduced by the percentage reduction of the GEA for the 2010-11 school year;
- prohibit the Board of Regents from proposing any legislation, regulation, or policy directives containing a mandate unless they have reviewed the fiscal impact of such proposal;
- require the Regents to prepare a local fiscal impact statement for any proposed legislation that contains a mandate that is submitted to the Legislature or the Executive branch;
- require the Regents to review department regulations and submit a report to the Governor by December 1, 2010 on any changes to department regulations that could reduce the impact of mandates and generate property tax relief;
- alter the calculation of payments for employees of County Vocational Education and Extension Board and limits the amount of time permitted to submit claims;
- authorize boards of education to enter into regional transportation contracts with other schools districts, BOCES, municipalities, and the Office of Child and Family Services;
- eliminate the requirement that BOCES submit special education facilities plans every five years and instead require BOCES district superintendents to determine the adequacy and appropriateness of facilities based on Federal least restrictive environment requirements;
- ensure that the inflation factor used to calculate school district contingency budgets does not drop below zero in years where there is deflation;

- continue to freeze the SY 2010-11 per pupil tuition paid from school districts to charter schools at the SY 2008-09 rates;
- clarify the definition of kindergarten to mean children over five years old before December 31 of the current school year;
- remove energy performance contracts from the list of expenses eligible for the ten percent Building Aid incentive;
- provide for a recalculation of Building Aid if a school district's building is sold or ownership is transferred in some way;
- provides that superintendent conference days be held between September 1 and the last day of the June Regents examination period;
- provide for a technical adjustment to the definition of tax rate for school districts;
- provide for a process for the transition of special education students to adult services;
- extend special education class size waivers for large city school districts;
- change the current reimbursement to school districts for Summer School Special Education Programs from 70 percent reimbursement by the State to a wealth adjusted formula which would range from 10 to 80 percent. The current ten percent County contribution would continue;
- modify the process for reimbursing claims for Summer School Special Education Programs;
- require Committees on Preschool Special Education to consider the proximity of programs to a child's home when recommending placement;
- cap growth on county costs for the Preschool Special Education Program and require school districts to cover any growth in costs over two percent;
- require a review by the SED and the Office of Children and Family Services of any audit of Preschool Special Education payments to be completed within a three month period;
- require the SED to identify school districts with high rates of classification and low rates of declassification of students with disabilities along with their placement in particular settings and any disparities based on race. The Department may provide technical assistance and require corrective action and work with school districts on maintaining appropriate special education classification rates;

- continue existing Teachers of Tomorrow provisions for the City of New York;
- provide authorization for school districts to transfer excess funds from their Employee Benefit Accrued Liability Reserve (EBALR) in an amount which is limited to the lesser of funds necessary to offset any Gap Elimination Adjustment during SY 2010-11 or the amount of excess funds as determined by the state comptroller for the purpose of maintaining educational programming;
- modify the date by which the Comptroller must audit all school district EBALR funds and report on findings from July 1, 2012 to July 1, 2011;
- extend the provisions of State law that conform to federal No Child Left Behind (NCLB) requirements;
- extend the provision of supplemental education services to suspended pupils;
- extend the provisions of law allowing local governments to donate used computer equipment to schools and certain not for profits;
- extend the provisions of law requiring publishers of college instructional materials to make those materials available electronically to students with disabilities at a comparable cost;
- extend the provisions of law allowing for certain changes to be made to transportation contracts within the contract period;
- extend the provisions of law in regard to conditional appointments of school district, charter school and BOCES employees;
- extend the provisions of law authorizing licensed physical therapist assistants to provide services in home care settings;
- extend the provisions of law authorizing licensed physical therapist assistants to provide services in schools;
- extend the provisions allowing for waivers of maintenance of effort provisions for libraries;
- extend the provisions regarding dental licenses;
- require the Commissioner to develop a pilot program for regional transportation and identify barriers to and the cost effectiveness of such regional transportation systems;
- continue provisions providing for school bus driver training;

- reduce aid to Public Libraries and provide for a proportional reduction of the aid among the various formulas;
- continue current Chapter 1 Advance provisions and extend the advance to apply to the new GEA;
- continue the provisions for a lottery accrual due to a change made by the Government Accounting Standards Board regarding the Teacher Retirement System pension contributions;
- extend the Rochester City School District's ability to purchase health services from BOCES;
- continue the Magnet School, Attendance Improvement and Dropout Prevention, and Teacher Support Aid set asides within Foundation Aid;
- reduce the Special Academic Improvement Grant to Roosevelt School District in the 2011-12 and 2012-13 School Year from \$12 million to \$6 million;
- require the Commissioner to reduce and consolidate school district plans, reports and applications, establish unified electronic data collection systems, and eliminate a number of reports and requirements;
- provide for the renaming of Excess Cost Aid to better reflect its purpose;
- enact the Foundation Aid freeze for the 2011-12 School Year and extend the phase in of Foundation Aid through SY 2016-17;
- continue the provision of Universal Prekindergarten into the 2011-12 school year and provide for the payment of districts which expanded their programs in the 2008-09 school year;
- continue Supplemental Public Excess Cost Aid, High Tax Aid, Academic Enhancement Aid, the Academic Achievement Grant for New York City, and the Supplemental Education Improvement Grant for Yonkers at current levels through SY 2011-12;
- provide for technical implementation of various school aid grants and formulas including Foundation Aid and Universal Prekindergarten;
- freeze all School Aid formulas for both the 2009-10 and 2010-11 school year, at the lesser of the SY 2010-11 Executive run or revised data; and
- create a Gap Elimination Assessment against formula based aids, with the exception of Building Aid and Universal Prekindergarten, and partially reimburse districts with funds from the American Recovery and Reinvestment Act of 2009.

## OFFICE OF CHILDREN AND FAMILY SERVICES

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,083,346,131	2,188,465,800	105,119,669	5.0%
Special Revenue-Other	123,460,000	123,337,000	(123,000)	-0.1%
Special Revenue-Federal	1,677,925,000	1,538,701,000	(139,224,000)	-8.3%
Enterprise	475,000	475,000	0	0.0%
Capital Projects Fund	1,825,000	1,825,000	0	0.0%
Youth Facilities Improvement Fund	35,850,000	35,850,000	0	0.0%
Internal Service Fund	100,000	100,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>3,922,981,131</b>	<b>3,888,753,800</b>	<b>(34,227,331)</b>	<b>-0.9%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	3,084	2,970	(114)
All Other Funds:	492	527	35
<b>TOTAL:</b>	<b>3,576</b>	<b>3,497</b>	<b>(79)</b>

### Agency Mission

(Executive Budget: pp. 35-43)

The Office of Children and Family Services (OCFS) is responsible for coordinating a system of support to help families achieve and maintain self-sufficiency and to provide for the well-being of their children. The Office administers a broad range of child welfare, child care, adult protective and delinquency prevention programs, as well as residential and community-based services for New York State's juvenile justice system. The Office also supervises services to the blind and visually handicapped.



The Office is included in the Education, Labor and Family Assistance appropriation bill.

### **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- Implementation of the Kinship Guardianship Program, effective January 1, 2011. The program would provide financial assistance on behalf of eligible foster care children who are discharged from foster care to the guardianship of the relatives who have been caring for them while in foster care. Assistance payments would continue to be made to such relatives, but the children would no longer be under the supervision of the local district, reducing administrative oversight and costs. Funding for the program would flow through the Foster Care Block Grant.
- Funding to support a total Child Care Block Grant of approximately \$952,000,000. This includes an increase in General Fund support of approximately \$5,000,000 related to unionization agreements on behalf of home-based child care providers and the transfer of child care funding for migrant workers to the General Fund from Temporary Assistance to Needy Families (TANF) funding. While year to year TANF funding for child care subsidies remains constant at \$392,967,000, the Executive eliminates \$14,300,000 in TANF funding for child care initiatives, including SUNY child care, CUNY child care and child care demonstration projects, in addition to transferring migrant worker child care to the General Fund.
- The maintenance of open-ended funding for child welfare services. The Executive continues 64 percent reimbursement for mandated preventive and child protective services, but reduces funding for Community Optional Preventive Services (COPS) which supports a variety of non-mandated programs.
- Full implementation of the Bridges to Health Medicaid Waiver Program which allows for enhanced services for foster care children with multiple needs in order to prevent them from entering institutional care. During SFY 2010-11, the program will add 1,740 new slots to reach full implementation at 3,305 slots.
- A change in the use of Title XX funding to require local districts to use all of New York's \$103,000,000 federal allotment to offset State and local costs for Adult Protective and Domestic Violence (AP/DV) programs. Currently, districts must use \$66,000,000 of such funds for these purposes, but are allowed to use the remaining \$37,000,000 for discretionary Title XX services. The Executive estimates \$18,000,000 in State savings from this action.
- The continuation of efforts to rightsize the capacity of residential youth facilities operated by the OCFS. In keeping with the one-year statutory notification requirements, the following

actions would take place in January 2011: closure of the Annsville non-secure facility (Oneida County), closure of the Tryon limited secure program for boys (Fulton County) and downsizing of the Lansing non-secure center for girls (Tompkins County). These actions would lower facility-wide vacancy rates by 11 percent to bring vacancy rates to 19 percent and would reduce staffing needs by 251 positions.

- An investment of \$18,200,000 in juvenile justice programs to address deficiencies identified by the Governor's Task Force on Transforming Juvenile Justice. Funding would be used to increase staff-to-youth ratios and to provide improved medical and mental health services for youth in State-operated juvenile justice facilities. This action would result in an increase of 169 staff in the youth facility program.
- A proposal to cap the appropriation for a long-term safe house for sexually exploited youth at \$3,000,000.
- A proposal that would allow OCFS to intercept payments to local districts for programs such as child welfare, foster care, adoption and detention in those instances where a local district is in arrears for more than sixty days, with respect to payments made to the State for the district's share of the costs associated with operating youth facilities. The Executive estimates this action will save the State \$27,000,000.
- Elimination of the Human Services cost-of-living (COLA) for foster care and adoptive parents, in order to prevent the implementation of a negative COLA in SFY 2010-11 and extension of the COLA for an additional year to March 2014.
- The maintenance of funding for Adoption subsidies and the Foster Care Block Grant.
- Reductions or eliminations in funding for various non-mandated services such as Home Visiting, the Child Welfare Quality Program, Child Protective caseload reduction, Alternatives to Detention and Residential Placement, Settlement Houses, Post Placement services, Hoyt Children and Family Trust Fund, Kinship Guardianship, Child Fatality Review Teams, and the Portable Information Technology pilot.

### **Budget Detail**

The Executive proposes an All Funds appropriation of \$3,888,753,800, a net decrease of \$34,227,331 or 0.9 percent below the SFY 2009-10 level. The Executive recommends funding for 3,497 full-time equivalent (FTE) positions, a decrease of 79 positions from SFY 2009-10.

## State Operations

The Executive proposes an All Funds State Operations appropriation of \$534,363,700, a net increase of \$11,397,700 or 2.18 percent above SFY 2009-10.

### Proposed Increases

The Executive proposes:

- an increase of \$18,190,000 related to the hiring of 169 staff in juvenile justice programs to address the deficiencies identified by the Governor's Task Force on Transforming Juvenile Justice;
- an increase of \$15,380,000 related to negotiated salary and fringe increases;
- a \$6,000,000 increase related to a pending application for federal ARRA funding for Head Start;
- a \$4,230,000 increase related to a shift of certain child care functions from Local Assistance to State Operations; and
- an increase of \$3,000,000 related to modernization and upgrading of the CONNECTIONS system.

### Proposed Decreases

The Executive proposes:

- a decrease of \$8,630,000 related to non-personal service reductions;
- a reduction of \$8,000,000 in federal funding related to the loss of one-time ARRA funding for the Commission for the Blind and Visually Handicapped;
- a reduction of \$7,540,000 related to the attrition of 32 FTE positions;
- a savings of \$6,750,000 related to youth facility closures and downsizing actions that would result in the loss of 251 FTE positions;
- a savings of \$3,940,000 related to employees who opted to take a severance package offered under the SFY 2009-10 Workforce Reduction Plan; and
- a savings of \$200,000 related to the use of electronic court appearances for certain court proceedings as proposed in Article VII legislation.

## Aid to Localities

The Executive proposes an All Funds Aid to Localities appropriation of \$3,316,715,100, a net decrease of \$45,625,031 or 1.36 percent below SFY 2009-10, due primarily to the loss of ARRA funding.

### Proposed Increases

The Executive proposes the following General Fund appropriation additions:

- an increase of \$77,160,000 for Child Welfare Services related to an anticipated increase in claims for reimbursement for services from local districts;
- an increase of \$41,420,000 related to full implementation of the Bridges to Health Medicaid Waiver for foster care children with multiple needs, bringing the number of slots to 3,305 from the current 1,565;
- an increase of \$4,850,000 related to the payment of Medicaid Per Diems for children in foster care;
- an increase of \$4,120,000 for adoption subsidies provided to families who adopt children with special needs;
- an increase of \$4,000,000 for reimbursement to local districts for the State share of detention costs;
- a new \$3,235,000 appropriation related to unionization agreements on behalf of home-based child care providers;
- a new \$3,000,000 appropriation for a long-term safe house for sexually exploited children;
- an increase of \$520,000 for Indian Tribes; and
- an increase of \$390,000 to restore local district training to the enacted SFY 2009-10 level from the post DRP level.

### Proposed Decreases

The Executive proposes the following General Fund appropriation reductions:

- a decrease of \$13,830,000 in the AP/DV appropriation related to the requirement that local districts use 100 percent of federal Title XX funds for this purpose. The Executive estimates savings of \$18,000,000 related to this action;
- a decrease totaling \$14,200,000 related to the elimination of Preventive Services, the Portable Information Technology pilot, Kinship Guardianship, and the Child Care ARRA Maintenance of Effort;
- a \$2,920,000 reduction in COPS funding;
- a decrease of \$1,790,000 related to a 50 percent reduction in the Child Welfare Quality Program; and
- a net decrease totaling \$1,150,000 related to the implementation of a 10 percent reduction in appropriation authority from the enacted SFY 2009-10 level for the following programs: Home Visiting, YDDP/SDDP, Advantage Afterschool, Child Advocacy Centers, Runaway and Homeless Youth, Alternatives to Detention and Residential Placement; Post Placement Services, Child Protective caseload reduction, Hoyt Children and Family Trust Fund; Kinship/Caretaker Relative, Settlement Houses, and Child Fatality Review Teams.

### **Capital Projects**

The Executive proposes funding of \$37,675,000 for the Capital Projects Fund and the Youth Facilities Improvement Fund, which is unchanged from SFY 2009-10.

### **Article VII**

The Executive recommends Article VII legislation that would:

- authorize local social services districts to make payments to foster care and adoptive parents using electronic benefit transfer, debit cards or direct deposits;
- establish a kinship guardianship assistance program to authorize a relative who becomes the legal guardian to receive assistance on behalf of an eligible foster child upon discharge from foster care;
- require that a Family Court judge may order a child protective investigation only when there is reasonable cause to suspect abuse or neglect;
- authorize the court to allow parties, interested persons and witnesses to attend or to testify at Family Court proceedings via telephonic, audio-visual or other electronic means;

- make amendments to the Safe Harbor Act of 2008. These include: narrowing the definition of sexually exploited child, clarifying that a long-term safe house may be operated by a Temporary Independent Living Program, providing for notification of parents or guardians, expanding the circumstances when a juvenile delinquent may be considered a severely trafficked person and establishing that the services provided for in the bill would be put forward only to the extent funds are appropriated;
- authorize the deduction and transfer of “fair share payments” to child care unions from home-based child care providers who opt not to become members of the union. The payment would be for services rendered by the union on behalf of all home-based providers;
- reduce requirements associated with each county’s required multi-year consolidated services plans. Such changes include: eliminating annual implementation reports, removing the requirement to hold public hearings and removing certain information from the plan; and
- authorize OCFS to withhold payments due to local social services districts in order to offset youth facility payments overdue by sixty days or more.

Other Article VII legislation affecting OCFS include proposals that would:

- eliminate the Human Services cost-of-living (COLA) to prevent the implementation of a negative COLA in SFY 2010-11 and extend the COLA for an additional year to March 2014. This proposal would affect foster care and adoptive parents; and
- extend for four years current social worker and mental health professional licensing exemptions.

## OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	1,321,899,986	1,252,928,700	(68,971,286)	-5.2%
Special Revenue-Other	187,793,875	186,518,000	(1,275,875)	-0.7%
Special Revenue-Federal	4,095,906,000	4,508,216,000	412,310,000	10.1%
Housing Program Fund	30,000,000	30,000,000	0	0.0%
Internal Service Fund	1,200,000	1,199,000	(1,000)	-0.1%
Fiduciary	10,000,000	10,000,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>5,646,799,861</b>	<b>5,988,861,700</b>	<b>342,061,839</b>	<b>6.1%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	613	193	(420)
All Other Funds:	1,746	2,186	440
<b>TOTAL:</b>	<b>2,359</b>	<b>2,379</b>	<b>20</b>

### Agency Mission

(Executive Budget: pp. 45-53)

The Office of Temporary and Disability Assistance (OTDA), working with the Office of Children and Family Services (OCFS) and other agencies, helps children and families in need to achieve economic self-sufficiency. The Office administers public assistance programs, including Family Assistance (FA), Safety Net Assistance (SNA), Supplemental Security Income (SSI), the Federal Food Stamp (FFS) Program, the Home Energy Assistance Program (HEAP); child support enforcement and services; refugee assistance programs; and homeless shelter and service programs. The Office also serves as the host agency for the administration of the federal Temporary Assistance to Needy

Families (TANF) block grant which provides funding for public assistance benefits, as well as for programs and services designed to assist needy children and families as they transition to self-support.

The agency is included in the Education, Labor and Family Assistance appropriation bill.

### **Programmatic Highlights**

The State Fiscal Year (SFY) 2010-11 Executive Budget includes:

- A two-year delay in full implementation of the 30 percent Public Assistance grant increase, enacted in SFY 2009-10. The Executive Budget reduces from ten percent to five percent the statutory July 2010 and July 2011 public assistance grant increases and provides for a five percent increase for two consecutive years thereafter.
- Funding for two new Temporary Assistance for Needy Families (TANF) programs and elimination of funding for 31 existing programs. The Executive provides \$41,500,000 for a Local Family Support Program to provide a federal match for social service district investments (local districts must provide a 20 percent match) in subsidized employment or short-term non-recurrent benefits (for example, car related payments needed to enable an individual to seek or to retain employment, purchase of work-related equipment, home repairs needed to reduce energy usage or to ensure safety) to support low-income families. In addition, the Executive proposes \$10,000,000 for Food Bank Supplemental Support to aid emergency food providers in meeting an increased demand for assistance. At the same time, the Executive proposes eliminating TANF funding of \$196,426,000 for 31 existing programs that provide crucial services to families, children and youth and refugees, including: Summer Youth Employment, Career Pathways, Strengthening Families through Stronger Fathers, Displaced Homemakers, Technology Training (ATTAIN), Advantage Schools, CUNY Child Care, SUNY Child Care, Child Care Demonstration Projects, Child Care Migrant Workers, Emergency Homeless, Supportive Housing for Families, ACCESS – Welfare to Careers, Alternatives to Detention/Alternatives to Residential Placement, Bridge, Caretaker Relative, Centro of Oneida, Community Reinvestment/Alternatives to Detention, Community Solutions to Transportation, Educational Resources, Home Visiting, VESID/LIVES, Non-Residential Domestic Violence, Nurse Family Partnership, Preventive Services, Refugee Resettlement, Rochester-Genesee Regional Transportation Authority, Settlement Houses, Supplemental Homeless Intervention Program, Wage Subsidy, and Wheels for Work.
- Authorization for the State to administer the additional State payments made under the Supplemental Security Income (SSI) Supplementation Program instead of paying the Federal Social Security Administration (SSA) a fee for each check issued on the State's behalf. The Executive estimates recurring savings of over \$60,000,000 once full implementation is achieved.



- An alignment of funding for the adult homeless shelter system with the family shelter system to encourage local social services districts, primarily New York City, to conduct public assistance eligibility determinations for all individuals seeking placement in temporary shelter settings, including homeless shelters for adults.

### Budget Detail

The Executive proposes an All Funds appropriation of \$5,988,861,700, a net increase of \$342,061,839 or 6.1 percent over the SFY 2009-10 level. The Executive recommends funding for 2,379 full-time equivalent (FTE) positions, an increase of 20 positions over SFY 2009-10.

### State Operations

The Executive proposes an All Funds State Operations appropriation of \$471,292,000, a net increase of \$1,913,000 or 0.4 percent above the SFY 2009-10 level.

#### Proposed Increases

The Executive proposes:

- an increase of \$19,240,000 in the OTDA Earned Revenue Account related to shifting the State share of the Automated Finger Imaging System and Electronic Benefit Transfer System from the General Fund to the Special Revenue – Other Fund, in order to achieve savings of \$8,000,000;
- an increase of \$10,540,000 related to the annualization of 200 additional FTEs within the Division of Disability Determinations which were brought on staff during SFY 2009-10. The additional staff are entirely federally funded;
- an increase of \$1,630,000 in appropriation authority related to Computer Systems Development. In SFY 2009-10, Computer Systems were financed with \$5,000,000 in bond proceeds, which do not recur in SFY 2010-11. Thus, while the appropriation authority is increased, the Executive provides \$2,500,000 less for Computer Systems in SFY 2010-11 than in SFY 2009-10;
- an increase of \$1,060,000 related to a shift of 12 Homeless Housing Assistance Program FTEs to the General Fund from a Special Revenue – Other Fund;
- a increase of \$574,000 in start-up costs related to authorizing the State to administer the SSI Supplementation Program instead of paying the Federal Social Security Administration (SSA) a fee for each check issued on the State's behalf; and
- an increase of \$141,000 related to the transfer of the Nutrition Outreach and Education program from the Department of Health to OTDA.

## Proposed Decreases

The Executive proposes:

- a reduction of \$1,490,000 related to severances, attrition, and anticipated collective bargaining savings; and
- a reduction of \$500,000 attributable to across the board reductions in State Operations non-personal service expenditures.

## Aid to Localities

The Executive recommends All Funds appropriations totaling \$5,487,569,700 in Aid to Localities for SFY 2010-11, a net increase of \$340,148,839 or 6.6 percent over the SFY 2009-10 level.

The largest appropriation within Aid to Localities relates to the Temporary Assistance to Needy Families (TANF) block grant and related Contingency funds for a total appropriation in SFY 2010-11 of \$2,971,880,000. In addition to the base TANF block grant which remains constant at \$2,443,000,000, the State will receive a total of \$1,221,465,000 in TANF Contingency Funds and TANF Emergency Contingency Funds during SFY 2009-10 and SFY 2010-11. Of this amount, \$678,155,000 was appropriated in SFY 2009-10 and \$451,300,000 is appropriated in the SFY 2010-11 Executive Budget. The TANF appropriation will support an anticipated 255,715 recipients of family assistance, an increase of 4,936 from the current fiscal year. The Executive proposes to increase TANF funding for benefits by \$569,393,000 to \$1,119,314,000 in SFY 2010-11, from \$549,921,000 in SFY 2009-10. In addition to the economic support of needy families, the TANF block grant and the TANF Contingency and Emergency Contingency Funds allow expenditures for programs and services that aid in the transition to self-sufficiency, as well as supportive services for low-income families to help them avoid the need for public assistance.

The Executive proposes to make \$964,600,000 available to local districts through the Flexible Fund for Family Services (FFFS), which is unchanged from SFY 2009-10, and would maintain funding for child care subsidies at \$392,967,000. The Executive, however, eliminates funding for CUNY Child Care, SUNY Child Care, Child Care Demonstration Projects, and Child Care for Migrant Workers totaling \$16,054,000. (Child Care Migrant Workers, however, is transferred to the General Fund) The Executive would provide funding for two new programs. The first is funding of \$41,500,000 for a Local Family Support Fund, which would provide a Federal match for social service district investments in subsidized employment or new, short-term, non-recurrent benefits to support low-income families. Local districts must provide a 20 percent match to access this funding. The second is \$10,000,000 for Food Bank Supplemental Support, which would provide one-time non-recurring support for the regional food banks to expand the capacity of emergency food providers throughout the State to meet the increased demand for assistance. The Executive would also provide funding for five existing TANF programs, including \$11,313,000 for Intensive Case Services, \$10,000,000 for the Transitional Jobs Program, \$5,000,000 for the Health

Care Jobs Program, \$3,000,000 for the Green Jobs Corps Program, and \$2,500,000 for the Disability Advocacy Program. In addition to the four child care programs, the Executive eliminates funding for 27 other programs, totaling \$180,372,000. These include: ACCESS – Welfare to Careers, Technology Training (ATTAIN), Advantage Schools, Alternatives to Detention/Alternatives to Residential Placement, Bridge, Career Pathways, Caretaker Relative, Centro of Oneida, Community Reinvestment/Alternatives to Detention, Community Solutions to Transportation, Displaced Homemakers, Educational Resources, Emergency Homeless, Home Visiting, VESID/LIVES, Non-Residential Domestic Violence, Nurse Family Partnership, Preventive Services, Refugee Resettlement, Rochester-Genesee Regional Transportation Authority, Settlement Houses, Strengthening Families through Stronger Fathers, Summer Youth Employment, Supplemental Homeless Intervention Program, Supportive Housing for Families, Wage Subsidy, and Wheels for Work.

### Proposed Increases

The Executive proposes:

- an increase of \$363,660,000 in federal funds related to additional TANF Contingency and Emergency Contingency funding;
- an increase of \$65,590,000 in federal funds for Food Stamp Administration;
- a separate General Fund appropriation of \$756,300,000 for SSI which previously has been aggregated with public assistance, together with a separate \$360,000,000 appropriation for public assistance for a combined increase of \$26,070,000 over the current year:
- an increase of \$3,950,000 for Child Support Local Administration;
- an increase of \$1,200,000 in federal funds related to Child Support;
- an increase of \$980,000 for Operational Support for AIDS Housing;
- an increase of \$790,000 for the Nutrition Outreach Program related to a transfer of the program from the Department of Health to OTDA; and
- an increase of \$630,000 related to NY/NY III Family Units.

## Proposed Decreases

The Executive proposes:

- a savings of \$35,800,000 related to aligning adult and family shelter program financing to encourage local districts, primarily New York City, to conduct public assistance eligibility determinations for all individuals seeking temporary shelter;
- a reduction of \$5,505,000 related to the elimination of the Health Care Jobs, Green Jobs, and Low-Income Employment Programs;
- a decrease of \$4,740,000 related to Legal Advocates for the Disabled;
- a decrease of \$1,020,000 for the Homelessness Intervention Program (HIP), which provides services to stabilize households and prevent homelessness;
- a decrease of \$310,000 for the Single Room Occupancy (SRO) Program;
- a decrease of \$130,000 for the HIV Welfare to Work Program;
- a decrease of \$98,000 for Operational Support for AIDS housing;
- a decrease of \$90,000 for the Homeless Prevention Program;
- a decrease of \$77,000 for the Safety Net Assistance Local Innovations Program;
- a decrease of \$63,000 for the Citizenship Initiative;
- a decrease of \$63,000 for the New York State Refugee Resettlement Assistance Program; and
- a decrease of \$40,000 for the Human Trafficking Program;

## Capital Projects

The Executive proposes funding of \$30,000,000 for the Homeless Housing and Assistance Program Fund, which is unchanged from SFY 2009-10.

## Article VII

The Executive recommends Article VII legislation that would:

- delay full implementation of the 30 percent public assistance grant increase, enacted in SFY 2009-10. The Executive Budget reduces from ten percent to five percent the statutory

July 2010 and July 2011 public assistance grant increases and provides a five percent increase for two consecutive years thereafter;

- authorize the pass-through of the Federal Cost of Living Adjustment for Supplemental Security Income (SSI);
- authorize the State to administer additional State payments for SSI recipients and other eligible individuals;
- transfer the administration of the Nutrition Outreach and Public Education Program from the Department of Health (DOH) to the OTDA; and
- increase access to the Department of Taxation and Finance's Wage Reporting System records.

# NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	927,281,000	843,566,000	(83,715,000)	-9.0%
Special Revenue-Other	127,591,000	122,247,000	(5,344,000)	-4.2%
Special Revenue-Federal	69,764,000	65,800,000	(3,964,000)	-5.7%
<b>Total for AGENCY SUMMARY:</b>	<b>1,124,636,000</b>	<b>1,031,613,000</b>	<b>(93,023,000)</b>	<b>-8.3%</b>

## Agency Mission

(Executive Budget: pp. 55-61)

The Higher Education Services Corporation (HESC) was established in 1974 and administers the State's Tuition Assistance Program (TAP), the Federal Family Education Loan Program, and other State and federal aid programs.

HESC is included in the Education, Labor, and Family Assistance appropriation bill.

## Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- Funding for the TAP in the amount of \$825,048,000, which represents a net decrease of \$39,077,000 from a SFY 2009-10 funded level of \$864,125,000.
- Funding of \$39,150,000 for various scholarships administered by HESC, which represents a \$655,000 increase.
- Funding of \$250,000 for the creation of the Third Party Debt Collection Program.

## Budget Detail

The Executive recommends an All Funds appropriation of \$1,031,613,000 for HESC which is a decrease of \$93,023,000 from the SFY 2009-10 level. The Executive recommends funding support of 630 full-time equivalent (FTE) positions which is consistent with SFY 2009-10 levels.

### State Operations

The Executive recommends an All Funds State Operations appropriation of \$120,047,000, a decrease of \$45,344,000 from the SFY 2009-10 level.

#### Proposed Increases

The Executive proposes:

- a \$250,000 appropriation due to the creation of the Third Party Debt Collection Program.

#### Proposed Decreases

The Executive proposes:

- a \$40,000,00 reduction in funding for the New York State Higher Education Loan Program (NYHELPS);
- a funding reduction of \$4,023,000 to the Division of Guaranteed Loan Programs due to decreases in non-personal service spending; and
- a funding reduction of \$1,571,000 in administrative costs due to decreases in non-personal service spending.

### Aid to Localities

The Executive proposal maintains SFY 2009-10 funding levels for the Aid to Part-Time Study Program at \$14,357,000 and the Licensed Social Worker Loan Forgiveness Program at \$978,000. The Executive also proposes a \$825,048,000 appropriation for the TAP program, reflecting a net decrease of \$39,077,000 from the 2009-10 level.

#### Proposed Increases

The Executive proposal for TAP assumes the following academic year increases:

- provides TAP awards to students attending higher education institutions not under the direct supervision of the State Education Department including those engaging in professional theology studies (\$12,800,000); and
- creates new TAP award schedules for wards of the court and other classes of independent minors (\$3,900,000).

### Proposed Decreases

The Executive proposal for TAP assumes \$49,700,000 in reductions resulting from changes to the program that would:

- reduce the maximum TAP award for students enrolled in a two-year degree granting program from \$5,000 to \$4,000 (\$19,600,000);
- reduce the award for each TAP recipient by \$75 (\$16,500,000);
- increase minimum academic standards and GPA requirements for maintaining TAP eligibility (\$5,900,000);
- create new TAP award schedules reducing awards for certain married financially independent students (\$5,200,000);
- deny TAP eligibility to students in default of their Federal student loans (\$2,900,000);
- eliminate TAP awards for graduate students (\$2,100,000); and
- include all private pension and annuity income in TAP eligibility determinations (\$1,400,000).

The Executive proposal also includes the following decreases:

- \$4,700,000 eliminating all new awards for the Scholarship for Academic Excellence, and for the Math and Science Teacher Incentive Scholarship programs.

### Article VII

The Executive recommends Article VII legislation that would:

- increase the minimum academic standards required for non-remedial students to maintain TAP eligibility;
- deny TAP awards to any student who is in default of their federal student loans and loans made or guaranteed by the Corporation;



- eliminate TAP awards for graduate students;
- increase TAP awards for financially independent students who are orphans or wards of the court and decreases TAP awards for financially independent students who are married without children;
- reduce the maximum TAP award for students enrolled in a two-year degree granting program from \$5,000 to \$4,000;
- reduce the award for each TAP recipient by \$75;
- create parity between public and private pensions in TAP award eligibility determinations;
- extend the Patricia K. McGee Nursing Faculty Scholarship and Nursing Faculty Loan Forgiveness programs until June 30, 2015;
- extend the Regents Physician Loan Forgiveness Program until the end of the 2010-11 academic year;
- eliminate the Scholarships for Academic Excellence Program and the Math & Science Teaching Incentive Program; and
- make technical corrections to the New York Higher Education Loan Program (NYHELPS).

### **Deficiency Request**

The adjusted appropriation includes a recommended deficiency appropriation of \$25,159,000 to the Tuition Assistance Program to cover expenses for the 2009-10 Academic Year.

## DIVISION OF HOUSING AND COMMUNITY RENEWAL

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	79,247,048	61,472,000	(17,775,048)	-22.4%
Special Revenue-Other	68,822,548	67,632,000	(1,190,548)	-1.7%
Special Revenue-Federal	424,207,000	261,999,000	(162,208,000)	-38.2%
Housing Assitance Fund	31,000,000	0	(31,000,000)	-100.0%
Housing Program Fund	74,200,000	74,200,000	0	0.0%
UnKnown Fund Type	253,000,000	0	(253,000,000)	-100.0%
<b>Total for AGENCY SUMMARY:</b>	<b>930,476,596</b>	<b>465,303,000</b>	<b>(465,173,596)</b>	<b>-50.0%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	281	265	(16)
All Other Funds:	610	610	0
<b>TOTAL:</b>	<b>891</b>	<b>875</b>	<b>(16)</b>

### Agency Mission

(Executive Budget: pp. 63-69)

The Division of Housing and Community Renewal (DHCR) supervises, maintains and develops affordable housing for New York State residents. This is accomplished by providing construction and rehabilitation loans and grants, administering rent control, rent stabilization and rent subsidy programs, and supervising the management of State-assisted housing stock.

This agency is included in the Education, Labor, and Family Assistance appropriation bill.

## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- The Executive proposes merging the administrative and program operations of the Housing Finance Agency into DHCR. The Executive anticipates a savings of \$3.5 million due to the elimination of duplicative operations.
- The Executive proposes the elimination of \$21,875,000 intended for the Foreclosure Prevention Program which provides foreclosure counseling, representation and legal services to individuals who face default or foreclosure due to unconventional and conventional lending practices.

## **Budget Detail**

The Executive recommends an All Funds appropriation of \$465,303,000, a \$434,173,596 decrease from SFY 2009-10 funding level. The Executive proposes continued support for a workforce of 875 full-time equivalent (FTE) positions, a decrease of 16 FTE positions from the 2009-10 level.

### **State Operations**

The Executive proposal includes an All Funds State Operations appropriation of \$99,303,000 a net decrease of \$6,903,000 from SFY 2009-10 funding levels.

#### **Proposed Increases**

The Executive proposes:

- a \$1,462,000 increase in non-personal service related services in the Housing Program attributed to an increase in federal fringe benefit rates, and
- a \$219,000 increase for the Community development Program attributed to a decrease in personal service support and an increase in other non-personal related expenses.

#### **Proposed Decreases**

The Executive proposes:

- A reduction of \$4,082,000 in General Fund support attributed to a decrease in contractual services, non-personal services, travel and equipment purchases;
- \$1,231,000 decrease in General Fund support for the elimination of 16 FTE positions due to attrition;

- a reduction of \$230,000 in General Fund support attributed to personal service and salary adjustments;
- a \$2,057,000 decrease in Special Revenue funding to the Housing Program attributed to maintenance and personal service related reductions;
- a decrease of \$615,000 in Special Revenue funding in the Rent Administration Program attributed to a reduction of \$520,000 in personal service expenses and \$95,000 in non-personal service costs;
- a \$277,000 reduction in Special Revenue funding to the Administration program attributed to personal and non-personal service costs decreases; and
- a decrease of \$92,000 in Special Revenue funding in the Housing Development Fund attributed to personal service cost reductions.

### **Aid to Localities**

The Executive proposal includes an All Funds Aid to Localities appropriation of \$291,800,000 a net decrease of \$174,270,596 from SFY 2009-10 funding levels.

### **Proposed Decreases**

The Executive proposes the following decreases:

- a \$3,839,000 decrease in General Fund periodic subsidies for housing authority debt service payments which also includes the elimination of \$3,000,000 intended for the New York City Housing Authority operating subsidy;
- a \$2,449,000 decrease in General Fund support for the Neighborhood Preservation Program;
- a \$1,125,000 decrease in General Fund support for the Rural Preservation Program;
- a \$338,000 decrease in General Fund support for Rural Rental Assistance;
- a \$131,563,000 decrease in one-time federal stimulus support for the Low Income Weatherization Program;
- the Executive proposes eliminating funding for the Foreclosure Prevention Program in the amount of \$21,875,000;

- an \$8,600,000 decrease in one-time federal stimulus support for the Small Cities Community Development Block Grant Program; and
- a \$991,000 decrease in Special Revenue Fund support for the Housing Development Fund.

### **Capital Projects**

The Executive proposal maintains capital projects funding consistent with the 2009-10 funding level in the amount of \$74,200,000. The Executive proposal reflects the decrease of \$253,000,000 in one-time federal stimulus funding applied toward the Federal Tax Credit Assistance Program.

## DIVISION OF HUMAN RIGHTS

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	14,788,000	14,522,000	(266,000)	-1.8%
Special Revenue-Federal	8,241,000	8,223,000	(18,000)	-0.2%
<b>Total for AGENCY SUMMARY:</b>	<b>23,029,000</b>	<b>22,745,000</b>	<b>(284,000)</b>	<b>-1.2%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	162	152	(10)
All Other Funds:	54	54	0
<b>TOTAL:</b>	<b>216</b>	<b>206</b>	<b>(10)</b>

### Agency Mission

(Executive Budget: pp. 77-79)

The primary mission of the Division of Human Rights (Division) is to enforce the New York State Human Rights Law and to protect the civil rights of New Yorkers. The Human Rights Law affords protection from discrimination, based on race, sex, age, military status, disability, sexual orientation or membership in other specified classes in the law. The Division prosecutes unlawful discriminatory practices; investigates and resolves individual complaints of illegal discrimination; advances policies and legislation to expand and to protect civil rights; and promotes education and outreach to raise human rights awareness. The agency operates from its main office in New York City, as well as nine regional offices and two satellite offices across the State.

The Division is included in the Education, Labor and Family Assistance appropriation bill.

## Budget Detail

### State Operations

The Executive proposes an All Funds State Operations appropriation of \$22,745,000, a net decrease of \$284,000 or 1.2 percent from the State Fiscal Year (SFY) 2009-10 level. The Executive recommends funding support of 206 full-time equivalent (FTE) positions, a decrease of 10 from SFY 2009-10.

### Proposed Decreases

The Executive proposes the following reductions attributable to anticipated collective bargaining savings and an attrition of two FTEs:

- a General Fund State Operations appropriation of \$14,522,000, a net decrease of \$266,000 or 1.8 percent from the SFY 2009-10 level; and
- a Special Revenue – Federal appropriation of \$8,223,000, a net decrease of \$18,000 or 0.2 percent.

## DEPARTMENT OF LABOR

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	13,014,825	0	(13,014,825)	-100.0%
Special Revenue-Other	95,478,000	95,010,000	(468,000)	-0.5%
Special Revenue-Federal	1,077,177,000	770,770,000	(306,407,000)	-28.4%
Enterprise	11,002,000,000	7,200,000,000	(3,802,000,000)	-34.6%
<b>Total for AGENCY SUMMARY:</b>	<b>12,187,669,825</b>	<b>8,065,780,000</b>	<b>(4,121,889,825)</b>	<b>-33.8%</b>

### ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	10	0	(10)
All Other Funds:	4,001	4,001	0
<b>TOTAL:</b>	<b>4,011</b>	<b>4,001</b>	<b>(10)</b>

### Agency Mission

(Executive Budget: pp. 81-87)

The Department of Labor (DOL) administers New York's Unemployment Insurance (UI) system, labor exchange system and State worker protection programs, including enforcement of safety and health regulations in the public sector; State labor laws and federal statutes related to working conditions, wages and hours; and laws related to public work.

DOL is a primary advocate for job creation and economic growth through workforce development and the State's principal source of labor market information, offering a variety of services designed to help businesses to find workers and people to find jobs.



## **Programmatic Highlights**

The State Fiscal Year (SFY) 2009-10 Executive Budget includes the following:

- a proposal to abolish the State Employment Relations Board (SERB) and to have the responsibilities of SERB be assumed by the Public Employment Relations Board (PERB). There are two layoffs anticipated by this action.

## **Budget Detail**

The Executive proposes an All Funds appropriation of \$8,065,780,000, a decrease of \$4,121,889,825 or 33.8 percent below SFY 2009-10 levels. The decrease is primarily attributable to reductions in appropriation authority for Unemployment Insurance benefits. The Executive recommends funding support of 4,001 full-time equivalent (FTE) positions, a decrease of 10 positions from SFY 2009-10.

### **State Operations**

The Executive proposes an All Funds State Operations appropriation of \$7,840,163,000, a net decrease of \$3,846,545,000 or 32.9 percent below the SFY 2009-10 level.

#### **Proposed Decreases**

The Executive proposes:

- a reduction of \$3,802,000,000 in the Unemployment Benefit Fund to reflect the fact that claimants will begin exhausting UI benefits during SFY 2010-11;
- a decrease of \$21,500,000 related to discontinued ARRA funds for the Unemployment Insurance Occupational Training Fund;
- reductions totaling \$5,300,000 related to anticipated collective bargaining savings; and
- a reduction of \$1,772,000 related to the elimination of the SERB for General Fund savings of \$1,300,000.

### **Aid to Localities**

The Executive proposes an All Funds Aid to Localities appropriation of \$225,617,000, a net decrease of \$275,344,825 or 55.0 percent below the SFY 2009-10 level. The decrease is primarily attributable to the discontinuation of American Recovery and Reinvestment Act (ARRA) stimulus funding.

### Proposed Decreases

The Executive proposes:

- a decrease of \$251,000,000 related to discontinued ARRA funds for Workforce Investment Act programs.

### **Deficiency Request**

The adjusted appropriation includes a recommended deficiency appropriation of \$1,000,000,000 for the UI Benefit Fund to accommodate significant increased program spending resulting from the economic downturn and from federal legislation which has been enacted granting an additional 73 weeks of UI benefit eligibility for claimants who have exhausted the normal 26 week benefit period.

# STATE UNIVERSITY OF NEW YORK

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	2,816,582,240	2,800,912,636	(15,669,604)	-0.6%
Special Revenue-Other	4,754,325,000	310,714,000	(4,443,611,000)	-93.5%
Special Revenue-Federal	346,166,988	377,938,650	31,771,662	9.2%
Capital Projects Fund - Advances	550,000,000	550,000,000	0	0.0%
Internal Service Fund	15,300,000	16,600,000	1,300,000	8.5%
Cap Proj Fund - SUNY CC - Direct Auth				
Bonds	45,700,000	22,426,000	(23,274,000)	-50.9%
<b>Total for AGENCY SUMMARY:</b>	<b>8,528,074,228</b>	<b>4,078,591,286</b>	<b>(4,449,482,942)</b>	<b>-52.2%</b>

### Agency Mission

(Executive Budget: pp. 89-97)

The State University of New York (SUNY) is the largest public university system in the nation. It consists of 64 campuses including four university centers, thirteen university colleges, two independent health centers, four specialized colleges of technology, five statutory colleges, six colleges of technology and thirty community colleges.

SUNY is included in the Education, Labor, and Family Assistance appropriation bill.

### Programmatic Highlights

The State Fiscal Year (SFY) 2010-11 Executive Budget includes the following:

- A \$136,363,000 decrease in State support for operating expenses from an adjusted \$1,256,206,000 in SFY 2009-10 to \$1,086,314,000 in SFY 2010-11.
- Authorization to the SUNY Board of Trustees to establish a tuition policy that would allow it to increase tuition at 2.5 times the five year rolling average of the Higher Education Price Index. This would allow the SUNY Board of Trustees to increase in state undergraduate tuition to \$5,442 from \$4,970 for the 2010-11 academic year. Appropriations for tuition are removed from the budget making process and the SUNY Board of Trustees would also be authorized to offer differential tuition by campus and program.

- A \$285 per full time equivalent (FTE) student decrease in SUNY Community College Base Aid, decreasing support from \$2,545 per FTE in SFY 2009-10 to \$2,260 per FTE in SFY 2010-11.

### **Budget Detail**

The Executive Proposal recommends a \$4,078,591,286 All Funds appropriation, a decrease of \$4,449,482,942 from SFY 2009-10.

### **State Operations**

The Executive proposes a State Operations budget of \$2,982,923,900 for State Operated campuses. This represents a \$4,508,047,100 decrease below the SFY 2009-10 level of \$7,490,971,000.

#### **Proposed Increases**

The Executive Proposes:

- an \$86,461,000 increase due to personal service costs increase and collective bargaining;
- a \$51,490,000 increase due to increased costs of fringe benefits;
- a \$16,723,000 increase due to an increase in tuition sharing from the tuition increase of 2009-10;
- a \$10,305,000 increase due to inflation involving non personal service costs; and
- a \$9,175,000 increase for utility expenses.

#### **Proposed Decreases**

The Executive proposes:

- a \$4,443,611,000 decrease from moving all Special Revenue Funds – Other appropriation except the dormitory reimbursable account out of the budget making process;
- a \$136,363,000 decrease to state support for SUNY State Operated and Statutory Colleges; and
- a \$33,600,000 decrease due to negotiated personal service savings.

## Aid to Localities

The Executive proposes a total Aid to Localities appropriation of \$523,241,386 for SFY 2010-11, representing a \$81,838,158 decrease from adjusted SFY 2009-10 levels. Within this appropriation, funding in the amount of \$1,880,000 is maintained for contract courses for workforce development, \$1,001,000 for child care, \$1,692,000 in funding for high priority academic programs and \$940,000 for community colleges with low enrollment.

### Proposed Increases

The Executive proposes:

- a \$128,700,000 increase from appropriating a subsidy for SUNY Health Science Centers for operating as a public entity;
- a \$26,592,637 increase in Community College Base Aid resulting from enrollment increases;
- an \$11,771,663 increase in federal American Recovery & Reinvestment Act (ARRA) funding for community college; and
- an increase of \$3,210,000 to Rental Aid.

### Proposed Decreases

The Executive proposes:

- an \$11,771,663 reduction to General Fund spending on community colleges. These funds are replaced on a one time basis by ARRA funds; and
- a \$40,333,984 reduction in SUNY Community College Base Aid resulting from a \$285 per FTE reduction from \$2,545 in SFY 2009-10 to \$2,260 in SFY 2010-11.

## Capital Projects

The Executive proposes a capital projects appropriation of \$572,426,000, an increase of \$23,274,000 from SFY 2009-10 levels. This includes an appropriation of \$550,000,000 which is the 3rd year of the 5 year SUNY capital plan for critical maintenance that was enacted in SFY 2008-09. It also includes \$22,426,000 to provide for the state's 50 percent share of projects at SUNY Community Colleges.

## Article VII

The Executive recommends Article VII legislation that would:

- enact the New York State Higher Education Empowerment and Innovation Act that would:
  - authorize the SUNY Board of Trustees to be able to set their own tuition policy up to a level of 2.5 times the 5 year rolling average of the Higher Education Price Index (HEPI), The board of trustees could also offer differential tuition by campus and program;
  - allow SUNY to receive and disburse revenues such as tuition and fees without appropriation;
  - authorize the creation of the State University Asset Maximization Review Board to approve the lease of real property and participate in public/private partnerships;
  - allow the SUNY Construction Fund to implement capital projects through new construction delivery methods;
  - authorize the construction and financing by the Dormitory Authority of New York (DASNY) of the facilities for the benefit of SUNY by affiliated not-for-profit entities;
  - allow DASNY to rehabilitate, construct and finance dormitories for community colleges;
  - allow SUNY to lease facilities directly though Albany County;
  - remove the provisions of law subjecting SUNY to pre-approval of contracts by the Office of the State Comptroller;
  - authorize SUNY affiliated not-for-profit organizations to make purchases though centralized contracts of the Office of General Services;
  - allow post-audit review by the Attorney General in regards to leases between SUNY and its alumni associations in support of dormitory projects;
  - indemnify students who are enrolled in required clinical programs;
  - increase SUNY's master planning cycle with the Board of Regents from four years to eight years;

- provide that medical, dental, and optometric residents and interns who provide services at health-related facilities of SUNY may opt to participate in the State and Local Employees' Retirement System;
  - allow SUNY hospitals to participate in managed health care networks; and
  - require managed care programs to establish procedures to assure access to optometric services provided by the College of Optometry.
- expand investment choices for the Optional Retirement Program for the State University of New York to include corporations that manage or invest in mutual funds; and
  - allow community colleges outside New York City to charge non-residents for their portion of the local county's share of operating cost.

## STATE UNIVERSITY CONSTRUCTION FUND

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
Special Revenue-Other	19,586,000	0	(19,586,000)	-100.0%
<b>Total for AGENCY SUMMARY:</b>	<b>19,586,000</b>	<b>0</b>	<b>(19,586,000)</b>	<b>-100.0%</b>

### Agency Mission

(Executive Budget: pp. 97-100)

The State University Construction Fund is a public benefit corporation established in 1962 to serve as the construction agent for academic buildings, dormitories and other facilities at State-operated institutions and statutory colleges under the jurisdiction of the State University of New York.

### Programmatic Highlights

The State Fiscal Year 2010-11 Executive Budget includes the following:

- The State funding for the State University Construction Fund has been taken out of the appropriation process in accordance with the proposed New York State Public Higher Education Empowerment and Innovation Act.



# OFFICE OF WELFARE INSPECTOR GENERAL

	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	420,000	420,000	0	0.0%
Special Revenue-Other	1,177,000	1,177,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>1,597,000</b>	<b>1,597,000</b>	<b>0</b>	<b>0.0%</b>

## ALL FUNDS PERSONNEL BUDGETED FILL LEVELS

Fund	Current 2009-10	Requested 2010-11	Change
General Fund:	4	4	0
All Other Funds:	3	3	0
<b>TOTAL:</b>	<b>7</b>	<b>7</b>	<b>0</b>

### Agency Mission

(Executive Budget: pp. 101-103)

The Office of Welfare Inspector General (Office) is responsible for preventing, investigating and prosecuting public assistance fraud and abuse, and illegal acts involving social services programs at both the State and local levels. The Office responds to allegations that welfare recipients are receiving benefits for which they are not eligible and, where appropriate, prosecutes such behavior. The Office also investigates instances in which Medicaid, day care or other social services providers or administrators of services are alleged to be fraudulently receiving payments from government. The Office is also charged with responsibility for investigating failures by State and local officials to investigate and to prosecute such fraud and abuse within their jurisdiction.

The Welfare Inspector General's statewide operations are directed from its main office in New York City and a field office in Albany. The Office works closely with the Office of Temporary and Disability Assistance and is assisted by the Attorney General in the prosecution of those alleged to be involved in fraudulent activity. The Office also works with the Office of Children and Family Services on cases involving community programs, as well as the Department of Health and the Office of the Medicaid Inspector General on cases related to alleged Medicaid fraud.

The Office is included in the Education, Labor and Family Assistance appropriation bill.

### **Budget Detail**

#### **State Operations**

The Executive recommends an All Funds appropriation of \$1,597,000, which is unchanged from the SFY 2009-10 level. The Executive continues funding to support a workforce of seven full-time equivalent (FTE) positions, consistent with the SFY 2009-10 level.

The Executive recommends that the Office and the Office of the Medicaid Inspector General share services in order to provide greater efficiency and to strengthen collaborative efforts to aid in detection, prevention, and control of public benefit fraud.

## MISCELLANEOUS: EDUCATION, LABOR & FAMILY ASSISTANCE

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	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	878,000	730,000	(148,000)	-16.9%
Special Revenue-Other	829,800	829,800	0	0.0%
Special Revenue-Federal	36,000,000	36,000,000	0	0.0%
<b>Total for AGENCY SUMMARY:</b>	<b>37,707,800</b>	<b>37,559,800</b>	<b>(148,000)</b>	<b>-0.4%</b>

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# STATE OF NEW YORK MORTGAGE AGENCY

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	Adjusted Appropriation 2009-10	Executive Request 2010-11	Change	Percent Change
<b>AGENCY SUMMARY</b>				
General Fund	233,300,000	174,520,000	(58,780,000)	-25.2%
<b>Total for AGENCY SUMMARY:</b>	<b>233,300,000</b>	<b>174,520,000</b>	<b>(58,780,000)</b>	<b>-25.2%</b>

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## Agency Mission

(Executive Budget: pp. 73-75)

The State of New York Mortgage Agency (SONYMA) is a public benefit corporation created to increase the affordability of home ownership for low to moderate-income residents of New York State. This is accomplished by the Agency's issuance of taxable and tax exempt bonds and the use of proceeds to purchase low-interest rate mortgage loans. SONYMA receives no direct operating support from the State.

This Agency is included in the Education, Labor and Family Assistance appropriation bill.

## Budget Detail

The Executive Budget recommends an All Funds appropriation for SONYMA in the amount of \$174,520,000, a \$58,780,000 decrease from the State Fiscal Year (SFY) 2009-10 funding level. No cash disbursements are anticipated to be made from this appropriation. All SONYMA programs and operations are supported by mortgage income, application fees, insurance premiums and investment proceeds.

The Executive proposes continued support for a workforce of 121 full-time equivalent (FTE) positions.

## **State Operations**

The Executive provides a \$61,800,000 appropriation for the SONYMA Homeowners Mortgage Revenues Reimbursement Program and a \$15,000,000 appropriation for the Mortgage Insurance Fund Reimbursement Program, maintaining SFY 2009-10 funding levels.

## **Aid to Localities**

### **Proposed Decreases**

The Executive recommends:

- a General Fund appropriation of \$97,720,000 for the Mortgage Insurance Fund Reimbursement Program, a decrease of \$58,780,000 related to a reduction in mortgage recording tax collections because of decreased home sales across New York State.