

DECLARATION PURSUANT TO EDUCATION LAW SECTION 2590-g(9)
CONCERNING THE ALLOCATION OF REVENUE AMONG
COMMUNITY SCHOOL DISTRICTS AND SCHOOLS

I, Joel I. Klein, Chancellor of the New York City Department of Education, pursuant to Section 2590-g(9) of the New York State Education Law, do hereby determine that the immediate adoption of the objective formulas used to allocate revenues among community school districts and schools is necessary to preserve the health, safety and general welfare of the students and school system as a whole. This emergency declaration shall remain in effect for 60 days or until the Panel votes to approve the allocation formulas following a 45-day public notice and comment period, whichever comes first.

Education Law section 2590-g(1)(f) requires the Panel to approve the allocation of projected revenues among community school districts and schools. Education Law section 2590-r and Chancellor's Regulation B-801 state that the allocation of projected revenues must be done pursuant to objective formulas developed by the Chancellor or his designees.

The allocation formulas ordinarily are approved by the Panel following a 45-day notice and comment period before schools can begin the process of developing school-based budgets. However, the school-based budgeting process must begin during June in order to ensure that there is sufficient time for community school districts and schools to meet all of the requirements of Education Law § 2590-r and Chancellor's Regulation B-801. The school-based budgeting process includes many steps, each of which must be completed sequentially in order to comply with the process set forth in the Education Law. Any delay in the completion of the budgeting process would necessarily have a deleterious effect on the operation of schools. For these reasons, in accordance with Sections 2590-g and 2590-r of the Education Law, I have determined that it is necessary to immediately adopt the allocation formulas attached as Exhibit A hereto. The adoption shall remain in effect for 60 days or until the Panel votes to approve the allocation formulas following a 45-day public notice and comment period, whichever comes first.

For the reasons set forth above, I find that the allocation formulas developed by the Chancellor must be adopted immediately to preserve the health, safety and general welfare of the students and school system as a whole and to comply with §§ 2590-g and 2590-r of the Education Law.

Dated: New York, New York
June 2, 2010



Joel I. Klein