

**EMERGENCY RESOLUTION REGARDING THE ALLOCATION OF REVENUE
AMONG COMMUNITY SCHOOL DISTRICTS AND SCHOOLS**

WHEREAS, pursuant to Section 2590-r of the New York State Education Law, the Panel for Educational Policy (the “Panel”), must adopt objective formulas for use in allocating revenues among community school districts and schools (the “Allocation Formulas”) as part of the school-based budgeting process; and

WHEREAS, 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, and 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; and

WHEREAS, the Allocation Formulas ordinarily are approved by the Panel following a 45-day notice and comment period; and

WHEREAS, proposed Allocation Formulas were posted for public comment on April 1, 2011, more than forty-five days prior to the May 18, 2011 meeting of the Panel; and

WHEREAS, upon analysis of the Mayor’s Executive Budget, issued on May 5, 2011, the Department of Education determined that the proposed Allocation Formulas should be revised in order to better align the Allocations Formulas and the Fair Student Funding process with the student needs they are designed to address; and

WHEREAS, revised proposed Allocations Formulas were posted for public comment on May 13, 2011, less than 15 days prior to the May 18, 2011 meeting of the Panel; and

WHEREAS, pursuant to Section 2590-g(9) of the New York State Education Law, the Panel has the authority to adopt the revised Allocation Formulas on an interim basis for 60 days, or until the Panel votes to permanently approve the revised Allocation Formulas following a 15-day public notice and comment period, whichever comes first; and

WHEREAS, it is the Panel’s desire to prevent any delay in the completion of the school-based budgeting process, which would necessarily have a deleterious effect on the operation of schools and the health, safety, and general welfare of students and the school system as a whole; and

WHEREAS, the Chancellor recommends that the Panel approve the revised proposed Allocation Formula set forth in Appendix A and the Summary of Fair Student Funding Implementation Changes set forth in Exhibit B attached hereto; now therefore be it

RESOLVED, that in accordance with Sections 2590-g(9) and 2590-r of the Education Law, the Panel hereby approves the revised Allocation Formulas on an interim basis for 60 days, or until the Panel votes to permanently approve the revised Allocation Formulas following a further public notice and comment period, whichever comes first.