



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

Commissioner of Education
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April 21, 2017

Yehuda Weissmandl
President, Board of Education
East Ramapo Central School District
105 South Madison Avenue
Spring Valley, NY 10977

Dear Mr. Weissmandl:

As I informed you in my April 17, 2017 letter, pursuant to Chapter 89 of the Laws of 2016, the Commissioner of Education is required to review the East Ramapo Central School District's ("District") proposed budget for the 2017-2018 school year and to present his or her findings to the Board of Education no later than 30 days prior to the date of the annual school district budget vote.

Specifically, the law requires that the Commissioner review the budget to ensure that it, **to the greatest extent possible, expands educational programming for students**, including but not limited to extracurricular activities, course offerings, non-mandated support services, non-mandated art and music classes, programs and services for English language learners and students with disabilities, and maintaining class size. The Commissioner's review of the budget must also ensure that **it is balanced within the context of revenue and expenditure estimates and mandated programs**.

In accordance with these legal requirements, I reviewed the District's proposed 2017-2018 budget, as such budget had been presented to me and to my appointed State monitors. On April 17, 2017, I issued a letter to you finding that the proposed budget was balanced and did expand educational programming for students. In that letter, I also made very clear that, should the District determine to pursue a possible override of the tax cap, which was not included in the proposed budget presented to me, the District must submit documentation explaining the District's proposal in this regard and the impact on the District's proposed 2017-2018 budget for my review as soon as possible. However, it has come to my attention today that the proposed 2017-2018 budget approved by the Board of Education on April 19, 2017 actually includes an additional five days of non-mandated transportation for nonpublic students when the public schools are closed.

Clearly, given the parameters of the law and the District's ongoing fiscal situation, I could not and would not have approved a budget that included an additional five days of non-mandated transportation for nonpublic school students. Further, I must point out that **none** of the district's proposed budget materials which were presented to me and to the

monitors for review **provided any indication** that the district planned to provide additional non-mandated transportation for nonpublic school students.

I received your letter this afternoon in which you acknowledge that my April 17 approval did not include approval of the five days of non-mandated transportation. You also state that the District's proposed budget does not include such transportation. Nevertheless, I send this letter to clarify that my approval did not, nor will it, include approval of the non-mandated transportation discussed herein. Given the serious program cuts in the past that have not been restored and the fact that the additional transportation is not mandated by law, **I hereby rescind my April 17, 2017 approval of the proposed 2017-2018 budget.**

Pursuant to the law, in the absence of my approval of the proposed budget, "[t]he board of education **shall** make adjustments to the proposed budget consistent with any recommendations made by the commissioner" (emphasis supplied). Accordingly, and in order to confirm the statements made in your letter of today, I hereby direct the Board to remove the five additional days of non-mandated nonpublic transportation from the proposed 2017-2018 budget. Please resubmit the revised proposed budget to me for review no later than **April 28, 2017.**

Finally, I note that you have indicated that you will post your letter on the District's website to "make clear that the budget does not include non-mandated days of transportation for non-public school students." In this regard, I ask that you post a copy of this letter to the District's official website as well in order to make clear my position on this issue.

Sincerely,



MaryEllen Elia
Commissioner

c: Dr. Deborah Wortham
Charles Szuberla
John Sipple