

Summary of Changes to East Ramapo Monitor Legislation

Provision	Current Legislation	New Legislation
Appointment of Monitors	Commissioner appoints up to 3 Monitors	Commissioner appoints up to 2 Monitors who serve at the pleasure of the Commissioner.
Employment of Monitors	State Education Department employees paid as education specialists	Independent contractors of District, which must pay the reasonable and necessary expenses incurred by the Monitors and provide defense and indemnification to the Monitors to the same extent as school District employees.
Attendance at Executive Sessions of the Board	May be excused when privileged information is discussed	May be excused when pending or current litigation involving a Monitor or the State Education Department is discussed.
Access to Documents	Must fully cooperate with the Monitors in the provision of requested documents.	The Board clerk must provide documents within 48 hours of a written request, a copy of which the Monitors shall provide to the Board.
Provision of copies of Board agenda, resolutions, motions, and contract language to Monitors	No provision	The clerk shall provide the Monitors with the Board agenda, motions, and resolutions at least 72 hours prior to Board meeting. Copies of resolutions or motions for the purpose of approving a contract or complying with State law or regulation and the date to comply with such law or regulation is within 21 days of the Board meeting shall be provided to the Monitors at least seven days prior to the meeting. Contract language shall also be provided at least seven days prior to the Board meeting at which the contract is scheduled to be approved.

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Failure to provide Board documents to Monitors	No provision	If document is not provided timely, (either 72 hours or seven days in advance as applicable) the Monitors may notify the Board that the motion, resolution, or contract approval is being removed from the Board agenda. If an item is removed from the agenda, it may not be considered for a period of ten days or the next Board meeting, whichever is later, unless the Monitors expressly authorize reconsideration at an earlier date. Resolutions pertaining to collective bargaining negotiations are not subject to this provision.
Conflict of Interest Policy	No Provision	The Board in consultation with the Monitors shall adopt a conflict of interest policy in accordance with the specifications in the law.
Board actions that violate State law, Board of Regents rules, or Commissioner's regulations or that are inconsistent with the long-term strategic academic and fiscal improvement plans.	No Provision	The Monitors may override the proposed or adopted resolutions or submit a resolution for adoption by the Board. (See Appendix A for details regarding implementation of these provisions).
Mandated Training	No Provision	Monitors may mandate that Board members, the superintendent, and/or other school District officers undergo up to 15 hours of training per year. Monitors may recommend, but not require, additional training beyond the 15 hour maximum.
Approval or Disapproval of Superintendent Appointment	No Provision	Monitors have 10 days to approve or disapprove the recommendation of the Board, after which time if no action has

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		been taken the recommendation is deemed approved. If the Monitors disapproval of a recommendation causes a vacancy in the superintendency, the Monitors may appoint a current school employee to serve as interim superintendent until a recommendation for superintendent is approved.
Submission of school District's proposed budget for approval.	School District in consultation with Monitor submits the school District's proposed budget to the Commissioner at least 45 days prior to the school District's annual budget vote. The Board of education shall make amendments to the budget as recommended by the Commissioner.	The Board of education submits the budget to the Monitors by March 1, who submit their findings to the Board and Commissioner at least 45 days prior to the school District budget vote. The school District shall make amendments to the budget as recommended by the Monitors and approved by the Commissioner.
Reporting	Monitors report quarterly and the District reports annually on the fiscal and operational status of the District and the Monitors report annually on the contracts in which the District entered.	District reports quarterly to the Monitors and annually to the Commissioner on the academic, fiscal, and operational status of the school District. The Monitors report semi-annually on the academic, fiscal, and operational status of the school District, including the contract into which the District has entered.
Disapproval of out of state travel	No provision.	Monitors may disapprove out of state travel paid for by the District.
Coordination with Shared Decision Making Committee (i.e., Part 100.11 committee)	No provision.	Monitors shall work with committee in developing and revising the District's long-term strategic academic and fiscal improvement plan, District goals, implementation of District priorities, and budgetary recommendations.

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Resolution of conflicts and disputes	No provision.	Monitors shall assist in resolving disputes and conflicts among and between the superintendent and members of the Board of education.
Recommendations for cost savings	No provision.	The Monitors may require the Board of education to vote upon the Monitors' recommendation for cost savings.
Commissioner Override of Monitors	No provision.	<p>The Commissioner may override any action of the Monitors that is contrary to state law or regulation or is not aligned with the long-term strategic academic and fiscal improvement plan or the District's budget.</p> <p>If the Commissioner overrules a decision of the Monitors, the Commissioner may direct the Board to take corrective action on such matter if necessary to comply with state law, regulation, or the long term strategic academic and fiscal improvement plan.</p>
Notification of Violation of Plans	No provision.	The Monitors may notify in writing the Commissioner and the Board of education of any violations of the long-term strategic academic and fiscal improvement plan or of the failure of the District to provide timely requested documents or records. Within 20 days of the notice of violation, the Commissioner shall determine whether to direct the District to remedy the violation and comply immediately with the plan. Until

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		the Commissioner makes a determination, the school District shall suspend all activities related to the area of violation. In cases of failure to provide documents or records, the Commissioner has seven days to determine whether to order the District to immediately provide the requested records or documents.
Community Advisory Board	No provision.	Within 90 days of the effective date of the act, the Board of education and the superintendent shall appoint a ten member community advisory Board, who shall meet at least four times a year with the Monitors and shall serve terms of one year with no compensation. The advisory Board shall have representation from: a parent of a student with special needs; the three most prevalent non-English language groups; a social welfare organization; a parent of a public school student and a parent of a nonpublic school student. A member of the Board may fulfill more than one of these requirements.
Long-Term Strategic Academic and Fiscal Improvement Plan	Expenditure plan for special legislative appropriation was subsumed within the long-term strategic plan. Plan was developed by school District in consultation with Monitors.	Long-term strategic plan is developed jointly by the school District and Monitors, which includes the expenditure plan. Public hearing is now conducted on the entire long-term strategic plan. Plan now expected to address the educational, social, and emotional welfare of public school students. Plan is to the maximum

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		<p>extent possible to reflect the demographic makeup of the District and the unique needs of minority racial, ethnic, and religious groups and undocumented communities.</p>

Appendix A: East Ramapo Monitor Override and Submission of Resolution Provisions

Override Provisions

Step 1: Monitors determine that a proposed or enacted resolution or motion will violate state law, rules of the Board of Regents or Commissioner's regulations or is inconsistent with the terms of the long-term strategic academic and fiscal improvement plan.

Step 2: Monitors provide written notice to the Board of education, superintendent and commissioner of the Monitor's intent to override a proposed or adopted motion or resolution. For adopted resolutions or motions the written notice must be provided within 48 hours of adoption, unless the commissioner upon a finding of extenuating circumstances extends the time period for the Monitors to act.

Step 3: The submission of the notice shall cause an adopted resolution or motion to be stayed or a proposed resolution or motion to be removed from consideration.

Step 4: Within 10 days of issuance of the notice, the Monitors shall submit a directive to the Board of education, superintendent, and Commissioner that contains the specific findings regarding the need for the override and any potential ways to correct the resolution or motion. The Monitors may extend in ten day increments the time period by which they issue their directive if the Board of education, superintendent, or District employees fail to provide within 48 hours all information requested by the Monitors in relation to the proposed or adopted motion or resolution.

Step 5: Upon issuance of the directive the override becomes final unless:

- The Monitors fail to issue the directive within 10 days or such extended time period that is established by the Monitors
- The Monitors withdraw the override
- The Commissioner within ten days of issuance of the directive overrides the Monitor's override.

Provisions Regarding Submission of Resolutions

Step 1: The Monitors determine that necessity for a resolution to be adopted by the Board of education in order to ensure District compliance with a law, rule of the Board or regents, or regulation of the commissioner or to bring the District into compliance with the provisions of the long-term strategic academic and fiscal improvement plan.

Step 2: The Monitors submit the resolution for adoption by the Board of education to the District clerk, along with the specific findings regarding the necessity for the resolution, no less than 48 hours prior to the next scheduled meeting of the Board of education.

Step 3: The clerk places the resolution on the agenda of the next scheduled Board meeting and provides a copy of the resolution and the findings of necessity to the Board of education, the superintendent, and the Commissioner.

Step 4: The Monitors determine whether to require the Board of education to meet prior to its next scheduled meeting to take up the resolution.

Step 5: The Monitors determine prior to adjournment of the meeting at which the resolution has been placed on the agenda whether to withdraw the resolution if the issues addressed in the resolution have been resolved.

Step 6: If not withdrawn, the resolution is deemed adopted by its placement on the agenda and has the same effect as any other resolution adopted by the Board of education.

Note: The Monitors may neither override a resolution or motion or submit a resolution for adoption related to collective bargaining agreements or that would violate state or federal laws, rules, or regulations pertaining to the provision of mandated services to nonpublic schools.