

THE SENATE
STATE OF NEW YORK



SUE SERINO
Senator, 41st District

For Immediate Release

November 1, 2019

Contact:

Kara Cumoletti, cumolett@nysenate.gov, 518-455-2945 (SERINO)

BARRETT CONTACT

Serino/Barrett Legislation to Safeguard Spackenkill Students and Taxpayers Heads to Governor's Desk

POUGHKEEPSIE, NY—Senator Sue Serino and Assemblymember Didi Barrett today announced that their bill requiring the state to forgive an excessive financial penalty levied against Spackenkill Union Free School District (Spackenkill) has been sent to the Governor's desk for consideration. The lawmakers are urging the Governor to sign the bill into law to protect local taxpayers and preserve academic programs in the district.

Senator Sue Serino said, "Since being made aware of the penalty levied against Spackenkill, we have been working diligently with the district to help them resolve the issue by pushing for the passage of this important legislation. The taxpayers and the students should not have to bear such a significant burden for a broken school financing system, and we are hopeful that the Governor will hear the voices of the school community, recognize this and ultimately sign the bill—which passed unanimously in both houses of the Legislature—into law."

"It is simply not right to make current and future Spackenkill students, taxpayers and local businesses carry the burden of millions of dollars in penalties for a paperwork error," said Assemblymember Barrett. "This excessive penalty represents an alarming 12% of the school district's annual budget and would force the district to make difficult choices, including raising taxes and cutting services to students and families. I urge the Governor to sign this legislation that is so important to everyone involved in the wonderful Spackenkill school district."

The penalty is part of the state's efforts to recoup nearly half of the \$10.7 million in funding used by the district to fund a capital project that was finalized nearly a decade ago. The state is arguing that a necessary final cost report associated with the project was not filed by the district in time to meet a deadline set by the education department. The project in question made improvements to classrooms, handicapped bathrooms and an elevator at Spackenkill High School.

THE SENATE
STATE OF NEW YORK



SUE SERINO
Senator, 41st District

Importantly, the Superintendent was never informed by the State Education Department that their cost report was late, or that they would be facing a penalty. In fact, it was not until February of 2018 that the current superintendent was made aware of this significant penalty by Senator Serino's office, after she was made aware thanks to the efforts of an outside education organization.

Many school districts in the state are facing this same issue, which is why Senator Serino and Assemblymember Barrett joined a number of their colleagues to successfully push for a slight reduction in the penalty amounts owed by districts throughout New York in the 2018-19 State Budget. This measure brought the penalty from over \$9,000,000 to \$5,516,470.

However, despite that notable progress, Spackenkill is unique in that this particular penalty remains one of the largest reported in the state, and would amount to approximately 12% of the district's annual budget. To date, only two other school districts have been assessed larger penalties—[North Syracuse Central School District](#), which has a student population five times the size of Spackenkill, and Chester Union Free School District—both of which have had their penalties forgiven through similar legislation. In terms of the State Aid these schools receive, North Syracuse's penalty was 28% of their aid last year when their penalty was forgiven, whereas Spackenkill's penalty would be 55% of their projected State Aid for this year, which is second only to Chester Union Free School District at 56% of their total State Aid.

While the school district is currently suing the state over the dispute, the Governor's signature on this piece of legislation (S. 1239A/ A. 4069) would promptly eliminate the need for a costly legal battle. [To read the district's statement regarding this suit, please click here.](#)

The bill passed unanimously in both the Senate and the Assembly in June. It was sent to the Governor for consideration on Monday, October 28, 2019, giving him until Friday, November 8, 2019 to sign or veto the bill.