

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO:	The Honorable the Members of the Board of Regents
FROM:	Valerie Grey
SUBJECT:	State Education Department August 2011 Fiscal Report
DATE:	September 6, 2011

AUTHORIZATION(S):

## **Executive Summary**

#### Issues for Approval

The August Fiscal Report is presented for your review, discussion and acceptance. Also attached is a plan adjustment report which shows the projected receipt and spending of the \$1.5 million from the Fund for Public Schools and the Mayor's Fund to Advance New York City for the restoration of the January 2012 Regents exams.

#### Reason(s) for Consideration

Update.

#### Proposed Handling

Review, discussion and acceptance.

#### Procedural History

The August Fiscal Report reflects actual expenditures through August 31, 2011 and projected expenditures through the lapse period ending June 30, 2012.

#### General Update

The Governor rescinded the 742 PEF layoffs that were announced by State agencies in July because a tentative collective bargaining agreement that includes wage and benefit concessions was reached. The Department had announced 14 PEF layoffs that would have been effective on July 22, 2011. PEF employees need to ratify

the collective bargaining agreement on September 27, 2011. CSEA employees already approved a collective bargaining contract similar to the PEF contract on August 15, 2011 and, therefore, no CSEA employees will be laid off.

Along with other concessions, the CSEA and PEF contracts include five days of furlough in 2011-12, three years of no general salary increases and an increase in the employees' share of health insurance premiums. The contracts also include protections against layoffs except for layoffs due to the closure or structuring of facilities, and material and unanticipated changes in the State's fiscal circumstances.

## Account Update

The following accounts continue to have funding shortfalls:

- Tenured Teacher Hearing account the program is now projected to have a cumulative deficit of \$9.0 million to \$9.5 million on March 31, 2012.
- Assessment account \$8.0 million deficit being resolved through a number of actions including eliminating and postponing exams and various cost containment actions.
- Cultural Education Account progress has been made; however, the account continues to carry a large accumulated deficit due to declining revenue.

Our Budget Coordination staff and I will continue to closely monitor the Department's accounts and ensure that required spending reductions are achieved.

## **Recommendation**

I recommend that the Board of Regents accept the August 2011 State Education Department Fiscal Report as presented.

## Timetable for Implementation

N/A

## STATE EDUCATION DEPARTMENT GRAND TOTALS FINANCIAL STATUS AS OF August 31, 2011

For State Fiscal Year 2011-12

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) Cumulative
	_	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
GENERAL FUND Personal Service Nonpersonal Service		0 0	22,735,606 21,805,394	22,735,606 21,805,394	7,989,016 2,568,858	14,746,590 28,236,536	22,735,606 30,805,394	0 (9,000,000) (a)	0 (9,000,000)	0 (9,000,000)
Other Retirement Systems		0	1,468,000	1,468,000	148,837	1,319,163	1,468,000	0	0	0
	Subtotal	0	46,009,000	46,009,000	10,706,711	44,302,289	55,009,000	(9,000,000) (a)	(9,000,000)	(9,000,000)
SPECIAL REVENUE All Accounts	Subtotal	8,591,221	163,183,937	171,775,158	49,184,967	112,351,844	161,536,811	1,647,126 (b)	8,761,725	10,238,347
FEDERAL FUNDS October-September Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal	N/A N/A N/A N/A	N/A N/A N/A N/A	50,686,432 19,159,746 40,882,750 110,728,928	34,130,932 4,875,968 7,627,798 46,634,698	16,555,500 14,283,778 33,254,952 64,094,230	50,686,432 19,159,746 40,882,750 110,728,928	N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A
July-June Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal <sup>-</sup>	N/A N/A N/A N/A	N/A N/A N/A N/A	31,353,424 58,176,083 22,742,675 112,272,182	1,099,593 0 	30,253,831 58,176,083 22,742,675 111,172,589	31,353,424 58,176,083 22,742,675 112,272,182	N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A
GRAND TOTALS		N/A	N/A	440,785,268	107,625,969	331,920,952	439,546,921	N/A	N/A	N/A

(a) This structural imbalance is the result of continued underfunding for the Tenured Teacher Hearing program.(b) This imbalance is the result of normal cash flow and the use of prior year funds to meet current year one-time obligations.

#### ADULT CAREER AND CONTINUING EDUCATION SERVICES FINANCIAL STATUS AS OF August 31, 2011

For State Fiscal Year 2011-12

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) Cumulative
	_	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
GENERAL FUND Personal Service Nonpersonal Service	Subtotal	0	886,700 	886,700 1,973,300 2,860,000	345,708 1,294 347,002	540,992 1,972,006 2,512,998	886,700 1,973,300 2,860,000	0	0	0
	Subioidi	Ū	2,000,000	2,000,000	347,002	2,312,990	2,000,000	U	v	U
FEDERAL FUNDS October-September Programs (b) Personal Service Nonpersonal Service Mandated Costs	Subtotal —	N/A N/A <u>N/A</u>	N/A N/A <u>N/A</u>	45,000,000 14,000,000 37,100,000 96,100,000	30,494,976 4,045,934 6,709,743 41,250,653	14,505,024 9,954,066 <u>30,390,257</u> 54,849,347	45,000,000 14,000,000 37,100,000 96,100,000	N/A N/A N/A N/A	N/A N/A N/A	N/A N/A N/A
July-June Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal	N/A N/A N/A	N/A N/A N/A	1,233,193 2,493,812 755,823 4,482,828	0 0 0 0	1,233,193 2,493,812 755,823 4,482,828	1,233,193 2,493,812 755,823 4,482,828	N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A
SPECIAL REVENUE Workers' Compensation Social Security Proprietary - Supervision Proprietary - Tuition Reimbursement High School Equivalency (GED)		121,074 0 (a) 2,264,330 2,393,647 958,981	80,000 (f) 535,599 3,000,000 (g) 300,000 (h) 225,000	201,074 535,599 5,264,330 2,693,647 1,183,981	82,584 89,287 926,146 9,843 0	(2,584) 446,312 2,644,730 490,157 655,000	80,000 535,599 3,570,876 500,000 655,000	0 0 (570,876) (c) (200,000) (c) (430,000) (c)	0 0 139,124 300,000 0	121,074 0 1,693,454 (d) 2,193,647 (e) 528,981

(a) This is a reimbursable account. Carry-in balances are not reported for reimbursable accounts since these balances will ultimately be zero (allowing for processing time).

(b) The Vocational Rehabilitation Program has received an additional \$22 million in reallotment funds that will assist the program in maintaining operations and filling critical vacancies.

(c) This imbalance is the result of normal cash flow and the use of prior year funds to meet current year one-time obligations.

(d) Some funds are earmarked for future technology enhancements.

(e) Funds are earmarked to provide financial protection for students who attend licensed proprietary schools in the event of a school closing.

(f) A sweep of \$32,000 is anticipated against this account pursuant to the enacted State budget.

(g) A sweep of \$297,000 is anticipated against this account pursuant to the enacted State budget.

(h) A sweep of \$23,000 is anticipated against this account pursuant to the enacted State budget.

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# PROFESSIONS FINANCIAL STATUS AS OF August 31, 2011 For State Fiscal Year 2011-12

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	<sup>(9)</sup> Cumulatíve
	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
SPECIAL REVENUE Office of the Professions	7,194,305	47,264,520 (a)	54,458,825	13,139,076	30,890,547	44,029,623	3,234,897	6,045,897	10,429,202

(a) A sweep of \$2,777,000 is anticipated against this account pursuant to the enacted State budget.

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## HIGHER EDUCATION FINANCIAL STATUS AS OF August 31, 2011

For State Fiscal Year 2011-12

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) Cumulative
	、	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
GENERAL FUND Personal Service Nonpersonal Service Tenured Teacher Hearings NPS	Subtotal	0 0 0	2,704,906 280,994 <u>3,653,100</u> 6,639,000	2,704,906 280,994 3,653,100 6,639,000	1,094,911 61,972 <u>1,216,070</u> 2,372,953	1,609,995 219,022 <u>11,437,030</u> 13,266,047	2,704,906 280,994 <u>12,653,100</u> 15,639,000	0 0 (9,000,000) (9,000,000)	0 0 (9,000,000) (a) (9,000,000)	0 0 (9,000,000) (9,000,000)
FEDERAL FUNDS July-June Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal	N/A N/A N/A N/A	N/A N/A N/A	1,147,304 358,414 398,044 1,903,762	43,140 0 0 43,140	1,104,164 358,414 398,044 1,860,622	1,147,304 358,414 <u>398,044</u> 1,903,762	N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A
SPECIAL REVENUE Office of Teacher Certification		2,708,997	6,600,000 (b)	9,308,997	2,052,464	4,598,621	6,651,085	(51,085) (d)	15	2,657,912
Regents Accreditation of Teacher Education		68,282	31,000 (c)	99,282	247	49,753	50,000	(19,000) (d)	0	49,282

(a) This structural imbalance is the result of continued underfunding for the Tenured Teacher Hearing program which is beyond the Department's control.

(b) A sweep of \$861,000 is anticipated against this account pursuant to the enacted State budget.

(c) A sweep of \$21,000 is anticipated against this account pursuant to the enacted State budget.

(d) This imbalance is the result of the use of prior year funds to meet current year one-time obligations.

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## OFFICE OF P-12 FINANCIAL STATUS AS OF August 31, 2011

For State Fiscal Year 2011-12

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) Cumulative
	_	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
GENERAL FUND Personal Service Nonpersonal Service	Subtotal	0 0 0	12,193,000 13,305,000 25,498,000	12,193,000 13,305,000 25,498,000	4,082,770 495,736 4,578,506	8,110,230 12,809,264 20,919,494	12,193,000 13,305,000 25,498,000	0 0 0	0 0 0	0 0 0
FEDERAL FUNDS October-September Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal	N/A N/A N/A N/A	N/A N/A <u>N/A</u> N/A	2,349,094 4,018,506 1,627,780 7,995,380	1,705,527 733,351 587,375 3,026,253	643,567 3,285,155 1,040,405 4,969,127	2,349,094 4,018,506 <u>1,627,780</u> 7,995,380	N/A N/A N/A N/A	N/A N/A N/A	N/A N/A N/A N/A
July-June Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal	N/A N/A N/A N/A	N/A N/A N/A	24,374,696 54,991,357 21,588,808 100,954,861	1,056,453 0 0 1,056,453	23,318,243 54,991,357 21,588,808 99,898,408	24,374,696 54,991,357 21,588,808 100,954,861	N/A N/A N/A N/A	N/A N/A N/A	N/A N/A N/A N/A
SPECIAL REVENUE										
State School for the Blind at Batavia		0 (4	a) 10,020,000	10,020,000	2,436,453	7,583,547	10,020,000	0	0	0
State School for the Deaf at Rome		0 (a	a) 9,600,120	9,600,120	1,995,877	7,604,243	9,600,120	0	0	0
Fiduciary (January Assessments)		0	1,500,000 (b)	1,500,000	0	1,500,000	1,500,000	0	0	0

(a) This is a reimbursable account. Carry-in balances are not reported for reimbursable accounts since these balances will ultimately be zero (allowing for processing time). (b) This revenue is from the Fund for Public Schools and the Mayor's Fund to Advance New York City. It will be used to restore the January 2012 Regents exams.

#### CULTURAL EDUCATION FINANCIAL STATUS AS OF August 31, 2011

For State Fiscal Year 2011-12

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) Cumulative
	_	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
GENERAL FUND Personal Service Nonpersonal Service	Subtotal	0 0 0	398,000 144,000 542,000	398,000 144,000 542,000	164,906 51,200 216,106	233,094 92,800 325,894	398,000 144,000 542,000	0 	0 0 0	0 0 0
FEDERAL FUNDS October-September Programs Personal Service Nonpersonal Service Mandated Costs	Subtotal	N/A N/A N/A N/A	N/A N/A N/A	3,337,338 1,141,240 2,154,970 6,633,548	1,930,429 96,683 330,680 2,357,792	1,406,909 1,044,557 1,824,290 4,275,756	3,337,338 1,141,240 2,154,970 6,633,548	N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A
SPECIAL REVENUE Cultural Education Account Office of Cultural Education-Operations Local Government Records Management Improvement Fund Records Management Program Cultural Resource Survey Account Education Museum Account Education Museum Account Education Archives Account Education Library Account Grants and Bequests Archives Partnership Trust Summer School for the Arts		(14,452,981) 0 (a) 1,654,778 0 (c) 3,691 183,459 127,434 483,265 128,526 (e) 211,074	28,750,000 3,704,980 (b) 1,700,000 9,882,195 3,100,000 15,000 65,000 173,523 690,000 697,000	14,297,019 3,704,980 3,354,778 9,882,195 3,103,691 198,459 192,434 656,788 818,526 908,074	9,045,653 1,608,394 723,191 1,659,327 400,626 1,291 3,631 167,785 198,614 356,533	18,514,175 2,096,586 904,169 8,222,868 2,573,284 74,349 102,869 475,292 491,386 548,852	27,559,828 3,704,980 1,627,360 9,882,195 2,973,910 75,640 106,500 643,077 690,000 905,385	1,190,172 0 72,640 0 126,090 (60,640) (d) (41,500) (d) (469,554) (d) 0 (208,385) (d)	1,190,172 0 72,640 0 126,090 15,000 65,000 36,420 0 697,000	(13,262,809) 0 1,727,418 0 129,781 122,819 85,934 13,711 128,526 2,689

(a) The Local Government Records Management account carry-in is not reported because the revenue in this account supports both the administrative costs reported here and a larger Aid to Localities grant program, not reflected in this report.

(b) A sweep of \$822,000 is anticipated against this account pursuant to the enacted State budget.

(c) This is a reimbursable account. Carry-in balances are not reported for reimbursable accounts since these balances will ultimately be zero (allowing for processing time).

(d) This imbalance is the result of the use of prior year funds to meet current year one-time obligations.

(e) Excludes endowment funds.

#### OPERATIONS AND MANAGEMENT SERVICES FINANCIAL STATUS AS OF August 31, 2011

For State Fiscal Year 2011-12

		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9) Cumulative
	_	Available Funds on 4/1/11	2011-2012 Projected Revenue	Cumulative Projected Revenue 2011-2012	Actual Expenditures Through 8/31/11	Projected Expenditures to Program Period End	Total Expenditures Actual and Projected	2011-2012 Projected Revenue vs. Expenditures	Projected Structural Balance at 3/31/12	Projected Balance at Program Period End
GENERAL FUND Personal Service Nonpersonal Service	Subtotal	0 0 0	6,553,000 2,449,000 9,002,000	6,553,000 2,449,000 9,002,000	2,300,721 742,586 3,043,307	4,252,279 1,706,414 5,958,693	6,553,000 2,449,000 9,002,000	0 	0 0 0	0 0 0
SPECIAL REVENUE										
Cost Recovery Account		436,107	18,750,000	19,186,107	8,575,887	10,137,846	18,713,733	36,267	36,267	472,374
Automation and Printing (IT)	Subtotal	4,106,252 4,542,359	<u>    16,500,000   </u> 35,250,000	20,606,252	5,712,058 14,287,945	<u>11,749,842</u> 21,887,688	17,461,900 36,175,633	<u>(961,900)</u> (a) (925,633)	<u>38,100</u> 74,367	<u>3,144,352</u> (b) 3,616,726
State Operations Total:		4,542,359	44,252,000	48,794,359	17,331,252	27,846,381	45,177,633	(925,633)	74,367	3,616,726
OTHER RETIREMENT SYSTEMS		0	1,468,000	1,468,000	148,837	1,319,163	1,468,000	0	0	0
FEDERAL FUNDS July-June Programs Personal Service Nonpersonal Service	Subtotal	N/A N/A N/A	N/A N/A N/A	4,598,231 <u>332,500</u> 4,930,731	0 0 0	4,598,231 <u>332,500</u> 4,930,731	4,598,231 332,500 4,930,731	N/A N/A	N/A N/A N/A	N/A  N/A

(a) This imbalance is the result of the use of prior year funds to meet current year one-time obligations.(b) Funds earmarked for future critical IT projects. (State Aid Management System and the Statewide Financial System)

## SED PLAN ADJUSTMENT REPORT August 31, 2011

	Initial Projection	Revised Projection	Difference	Explanation
SPECIAL REVENUE				
Office of P-12 Education Fiduciary (January Assessments) Projected Revenue & Total Expenditures Actual and Projected	\$0	\$1,500,000	\$1,500,000	Reflects the receipt and spending of the \$1.5 million from the Fund for Public Schools and the Mayor's Fund to Advance New York City for the restoration of the January 2012 Regents exams.
		Total Changes	\$1,500,000	