

NEW YORK STATE EDUCATIONAL CONFERENCE BOARD



MEMO IN SUPPORT

S.6372 (Mayer)/A.7631 (Lunsford)

Approximately one-third of school districts have a claim brought against them through the reopening of the statute of limitations for the Child Victims Act.

Individuals who were abused in the past deserve recompense and our organizations take no issue with the state's recognition that these injustices be addressed.

But the impact of large claims on current students and property taxpayers can be staggering. Some settlements have cost schools and their taxpayers tens of millions of dollars to date.

Because these cases often rise from allegations dating back 50 or more years, they are nearly impossible to defend against and schools often settle these claims to avoid the risk of even higher verdicts. In many cases, insurance carriers cannot be identified or disclaim responsibility.

Current law authorizes school districts to bond for periods of up to 15 years to finance payments of judgments and settlements. But to limit damage to educational opportunities for current students and to reduce burdens that would be imposed upon local taxpayers, the Legislature should authorize districts to finance over 30 years payments that are the result of Child Victims Act claims.

In the future, school districts will have no legitimate claim to seek financial assistance from the state for child abuse claims. Districts are on clear notice regarding the law and the ability of claims to be brought decades into the future since the prospective statute of limitations has been significantly modified.

But the claims for which this proposal would provide financing flexibility are often decades old and are now causing significant financial distress for many schools, which affects the opportunities and resources for current students.

Expanded bonding authority would prevent unnecessary harm to educational quality in the affected districts, while still delivering the compensation that victims of abuse deserve.

For all these reasons, the Educational Conference Board supports this legislation and urges its approval by the legislature.