# STATE OF NEW YORK

7846

# IN SENATE

March 2, 2018

Introduced by Sen. PHILLIPS -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to approvals, modifications and rejections of smart schools investment plans by the smart schools review board

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Subparagraphs 2 and 3 of paragraph b of subdivision 16 of section 3641 of the education law, subparagraph 2 as added by section 2 of part C of chapter 56 of the laws of 2014 and subparagraph 3 as amended by section 3 of part YYY of chapter 59 of the laws of 2017, are amended to read as follows:

(2) No school district shall be entitled to a smart schools grant until such district shall have submitted a smart schools investment plan to the smart schools review board and received such board's approval of such investment plan. **The smart schools review board shall meet on a monthly basis for purposes of approving such plans and providing updates on pending applications.** In developing such investment plan, school districts shall consult with parents, teachers, students, community members and other stakeholders.

(3) The smart schools review board shall review all smart schools investment plans for compliance with all eligibility criteria and other requirements set forth in the guidelines. The smart schools review board may approve or reject such plans, or may return such plans to the school district for modifications; provided that notwithstanding any inconsistent provision of law, the smart schools review board shall approve no such plan first submitted to the department on or after April fifteenth, two thousand seventeen, unless such plan calculates the amount of classroom technology to be loaned to students attending nonpublic schools pursuant to section seven hundred fifty-five of this chapter in a manner that includes the amount budgeted by the school district for servers, wireless access points and other portable connectivity devices to be acquired as part of a school connectivity project**; provided, further, that if a plan is rejected or modifications are sought, such school**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD14935-02-8

district shall be notified within seven days of the initial submission. Upon approval, the smart schools project or projects described in the investment plan shall be eligible for smart schools grants. A smart schools project included in a school district's smart schools investment plan shall not require separate approval of the commissioner unless it is part of a school construction project required to be submitted for approval of the commissioner pursuant to section four hundred eight of this chapter and/or subdivision six of section thirty-six hundred two of this article. Any department, agency or public authority shall provide the smart schools review board with any information it requires to fulfill its duties pursuant to this subdivision. The department, the division of the budget and the state university of New York shall develop a process for notifying districts of the status of a pending application and shall develop a process for responding to inquiries about pending applications in a time certain, but under no circumstances shall such response exceed seven days.

§ 2. Subparagraph 2 of paragraph c of subdivision 16 of section 3641 of the education law, as added by section 2 of part C of chapter 56 of the laws of 2014, is amended to read as follows:

(2) The amounts determined pursuant to this subdivision to be paid to school districts shall be certified by the commissioner in accordance with this subdivision. If, upon the option of a school district, a smart schools investment plan directs that an amount be transferred or suballocated to a department, agency, or public authority to be spent on behalf of the school district, such amounts shall be transferred or suballocated, consistent with such plan, upon the approval of the director of the budget. The amounts of money so certified or made available shall be paid by the comptroller in accordance with appropriations therefor, provided, however, that the payment schedule set forth in subdivision one of this section shall not apply to such payments, provided, further that such payments shall, to the extent practicable, be paid within thirty days of approval of such projects by the smart schools review board. Such payment shall fulfill any obligation of the state or the commissioner to apportion funds pursuant to this subdivision, and whenever a school district has been apportioned more money pursuant to this subdivision than that to which it is entitled, the commissioner may deduct such amount from the next apportionment to be made to such school district.

§ 3. This act shall take effect immediately.