S T A T E O F N E W Y O R K

4658--B

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sens. FOLEY, DIAZ, HASSELL-THOMPSON, ONORATO -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to required training for newly elected members of boards of education

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivisions 1, 2 and 3 of section 2102-a of the education law, as added by chapter 263 of the laws of 2005, are amended to read as follows:

1. A. Every trustee or voting member of a board of education of a school district or a board of cooperative educational services, elected or appointed for a term beginning on or after July first, two thousand five, shall, within the first year of his or her term, complete a minimum of six hours of training on the financial oversight, accountability and fiduciary responsibilities of a school board member.

B. IN ADDITION TO THE TRAINING REQUIRED BY PARAGRAPH A OF THIS SUBDIVISION, EVERY TRUSTEE OR VOTING MEMBER OF A BOARD OF EDUCATION OF A SCHOOL DISTRICT OR A BOARD OF COOPERATIVE EDUCATIONAL SERVICES, ELECTED OR APPOINTED FOR A FIRST TERM BEGINNING ON OR AFTER THE FIRST OF JULY NEXT SUCCEEDING THE EFFECTIVE DATE OF THIS PARAGRAPH, SHALL, WITHIN THE FIRST YEAR OF HIS OR HER TERM, COMPLETE A TRAINING COURSE TO ACQUAINT HIM OR HER WITH THE POWERS, FUNCTIONS AND DUTIES OF BOARDS OF EDUCATION, AS WELL AS THE POWERS AND DUTIES OF OTHER GOVERNING AND ADMINISTRATIVE AUTHORITIES AFFECTING PUBLIC EDUCATION.

C. Upon demonstration of compliance, no trustee or member of a board of education or a board of cooperative educational services shall be

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

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required to repeat [this] THE training [requirement] REQUIREMENTS PROVIDED FOR IN PARAGRAPHS A AND B OF THIS SUBDIVISION. Nothing in this section shall be deemed to require a member of a central high school district board or a member of a board of cooperative educational services to complete such [requirement] REQUIREMENTS if such member has already completed such [requirement] REQUIREMENTS as a member of a board of a component school district. NOTHING IN THIS SECTION SHALL BE DEEMED TO REQUIRE TRUSTEES OR VOTING MEMBERS OF A BOARD OF EDUCATION OF A SCHOOL DISTRICT OR A BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO COMPLETE THE REQUIREMENTS OF PARAGRAPH B OF THIS SUBDIVISION IF SUCH TRUSTEE OR MEMBER IS SEATED OR APPOINTED ON OR BEFORE THE EFFECTIVE DATE OF THE CHAPTER OF THE LAWS OF TWO THOUSAND TEN THAT AMENDED THIS SUBDIVISION.

2. The curriculum used for training on financial oversight, accountability and fiduciary responsibilities shall be approved by the commissioner in consultation with the comptroller AND THE CURRICULUM USED FOR THE GENERAL TRAINING SHALL BE APPROVED BY THE COMMISSIONER. [This curriculum] THESE CURRICULA may be offered [as part of a general course of training for the purpose of educating trustees or members on their powers, functions and duties] TOGETHER AS A SINGLE COURSE OR SEPARATELY. The training required by this section may be offered by providers approved by the commissioner. In approving other providers for [this training] THESE TRAININGS, the commissioner shall consider the potential provider's understanding of the educational environment, the roles of trustees and boards of education and boards of cooperative educational services, and the experience of the provider in delivering such training.

3. Each trustee or member shall demonstrate compliance with [this requirement] THESE REQUIREMENTS by filing with the district clerk a certificate of completion of such course OR COURSES issued by the provider. Actual and necessary expenses incurred by a trustee or member in complying with the foregoing [requirement] REQUIREMENTS shall be a charge against the school district.

S 2. This act shall take effect immediately.