

4859

2013-2014 Regular Sessions

I N S E N A T E

April 26, 2013

Introduced by Sen. LAVALLE -- 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 enacting the "truth in voting act"

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

1 Section 1. Legislative intent. The legislature hereby finds that the
2 decisions and determinations of our school districts impact not only the
3 children attending those schools, but our communities as a whole.
4 Nowhere is this more prevalent than in the school budget process.
5 School districts are required to provide the public with notice and
6 information regarding the annual school budget hearing and the school
7 budget vote. However, in the event a budget is defeated, this process
8 may sometimes be used to push through budgets by disseminating informa-
9 tion that may be confusing, misleading and intimidating. Residents of a
10 school district must never feel compelled to vote for a budget based
11 upon speculation or threats of broad sweeping cuts. Often people must
12 choose between an untenable school property tax increase or the possible
13 reduction or elimination of important educational programs such as full-
14 day kindergarten, athletics, advanced placement courses, etc. If the
15 school board's plan is to cut or reduce such programs, they need to be
16 specific in how the cuts will be made. In order to ensure that people
17 are armed with enough information to make an informed decision, resi-
18 dents need to be made aware of whether the cuts are to be made across
19 the board or whether they are to be more narrowly tailored. For
20 instance, where a school district opts to eliminate athletics, they must
21 articulate which sports and at what level the cuts will be made (elemen-
22 tary, freshmen, junior varsity, varsity, etc.). Also, where a school
23 district opts to reduce or eliminate advanced placement courses, music,
24 art or reading programs, it must specify each course by name. Attached
25 to each initiative to be reduced or eliminated must be a dollar amount

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

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1 so that it is clearly evident to the taxpayer how much money the school
2 district would save from such measures.

3 Residents must be afforded the most accurate information possible
4 regarding the decisions made by their local school board. It must be the
5 goal of every school district to enlighten the public regarding the
6 choices made in deciding where and how school property tax dollars are
7 spent.

8 Furthermore, this legislation would allow local taxpayers to know
9 first hand, the consequences that accompany a contingent budget should
10 the initial school budget be defeated. It would require school districts
11 to compose a detailed list of those programs that would be reduced or
12 eliminated under a contingent budget.

13 It is the intent of this legislation to provide the public with
14 detailed information pertaining to the school budget process. Voters
15 must be armed with knowledge rather than driven by rumors. Such informa-
16 tion should be written in a manner that is clear, concise and easily
17 understood by the average reader. It is the hope of the legislature that
18 this legislation will provide communities with greater understanding of
19 the school budget process and encourage participation of the public in
20 their local school systems.

21 S 2. Short title. This act shall be known and may be cited as the
22 "truth in voting act".

23 S 3. Subdivision 1 and paragraph a of subdivision 2-a of section 2022
24 of the education law, as amended by section 7 of part A of chapter 97 of
25 the laws of 2011, are amended to read as follows:

26 1. Notwithstanding any law, rule or regulation to the contrary, the
27 election of trustees or members of the board of education, and the vote
28 upon the appropriation of the necessary funds to meet the estimated
29 expenditures, AND THE VOTE UPON A BOND RESOLUTION, in any common school
30 district, union free school district, central school district or central
31 high school district shall be held at the annual meeting and election on
32 the third Tuesday in May, provided, however, that such election shall be
33 held on the second Tuesday in May if the commissioner at the request of
34 a local school board certifies no later than March first that such
35 election would conflict with religious observances. The sole trustee,
36 board of trustees or board of education of every common, union free,
37 central or central high school district and every city school district
38 to which this article applies shall hold a budget hearing not less than
39 seven nor more than fourteen days prior to the annual meeting and
40 election or special district meeting at which a school budget vote will
41 occur, and shall prepare and present to the voters at such budget hear-
42 ing a proposed school district budget AND A PROPOSED CONTINGENT BUDGET
43 for the ensuing school year.

44 a. Commencing with the proposed budget for the [two thousand one--two
45 thousand two] TWO THOUSAND THIRTEEN -- TWO THOUSAND FOURTEEN school
46 year, such notice shall also include [a description of how total spend-
47 ing and the tax levy resulting from the proposed budget would compare
48 with a projected contingency budget adopted pursuant to section two
49 thousand twenty-three of this article, assuming that such contingency
50 budget is adopted on the same day as the vote on the proposed budget.
51 Such comparison shall be in total and by component (program, capital and
52 administrative), and shall include a statement of the assumptions made
53 in estimating the projected contingency budget], IN A FORM AND MANNER
54 PRESCRIBED BY THE COMMISSIONER, A DETAILED LIST CONSISTING OF ANY AND
55 ALL PROGRAMS, INITIATIVES AND ACTIVITIES THAT ARE TO BE REDUCED, ELIMI-
56 NATED OR IN ANY OTHER WAY AFFECTED BY THE CONTINGENT BUDGET PROPOSAL FOR

1 THE ENSUING SCHOOL YEAR. SUCH LIST SHALL BE IN AN ITEMIZED FORMAT
2 DETAILING EVERY COURSE, PROGRAM, CURRICULAR ACTIVITY AND EXTRACURRICULAR
3 ACTIVITY BY NAME, SO AS TO PORTRAY AN ACCURATE DEPICTION OF THE EFFECTS
4 A CONTINGENT BUDGET WILL HAVE ON A SCHOOL DISTRICT. IN ADDITION, EACH
5 ITEM LISTED SHALL HAVE A DOLLAR AMOUNT CORRESPONDING TO IT IN ORDER TO
6 CLEARLY DEPICT THE AMOUNT SUCH REDUCTION OR ELIMINATION ACTUALLY
7 DECREASES THE TOTAL SPENDING THE THE INITIAL BUDGET PROPOSES.

8 S 4. Subdivision 1 and paragraph a of subdivision 2-a of section 2022
9 of the education law, subdivision 1 as amended by section 8 of part C of
10 chapter 58 of the laws of 1998 and paragraph a of subdivision 2-a as
11 added by section 3 of part A of chapter 60 of the laws of 2000, are
12 amended to read as follows:

13 1. Notwithstanding any law, rule or regulation to the contrary, the
14 election of trustees or members of the board of education, [and] the
15 vote upon the appropriation of the necessary funds to meet the estimated
16 expenditures, AND THE VOTE UPON A BOND RESOLUTION, in any common school
17 district, union free school district, central school district or central
18 high school district shall be held at the annual meeting and election on
19 the third Tuesday in May, provided, however, that such election shall be
20 held on the second Tuesday in May if the commissioner at the request of
21 a local school board certifies no later than March first that such
22 election would conflict with religious observances. When such election
23 or vote is taken by recording the ayes and noes of the qualified voters
24 attending, a majority of the qualified voters present and voting, by a
25 hand or voice vote, may determine to take up the question of voting the
26 necessary funds to meet the estimated expenditures for a specific item
27 separately, and the qualified voters present and voting may increase the
28 amount of any estimated expenditures or reduce the same, except for
29 teachers' salaries, and the ordinary contingent expenses of the schools.
30 The sole trustee, board of trustees or board of education of every
31 common, union free, central or central high school district and every
32 city school district to which this article applies shall hold a budget
33 hearing not less than seven nor more than fourteen days prior to the
34 annual meeting and election or special district meeting at which a
35 school budget vote will occur, and shall prepare and present to the
36 voters at such budget hearing a proposed school district budget AND A
37 PROPOSED CONTINGENT BUDGET for the ensuing school year.

38 a. Commencing with the proposed budget for the [two thousand one--two
39 thousand two] TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN school year,
40 such notice shall also include [a description of how total spending and
41 the tax levy resulting from the proposed budget would compare with a
42 projected contingency budget adopted pursuant to section two thousand
43 twenty-three of this article, assuming that such contingency budget is
44 adopted on the same day as the vote on the proposed budget. Such compar-
45 ison shall be in total and by component (program, capital and adminis-
46 trative), and shall include a statement of the assumptions made in esti-
47 mating the projected contingency budget], IN A FORM AND MANNER
48 PRESCRIBED BY THE COMMISSIONER, A DETAILED LIST CONSISTING OF ANY AND
49 ALL PROGRAMS, INITIATIVES AND ACTIVITIES THAT ARE TO BE REDUCED, ELIMI-
50 NATED OR IN ANY OTHER WAY AFFECTED BY THE CONTINGENT BUDGET PROPOSAL FOR
51 THE ENSUING SCHOOL YEAR. SUCH LIST SHALL BE IN AN ITEMIZED FORMAT
52 DETAILING EVERY COURSE, PROGRAM, CURRICULAR ACTIVITY AND EXTRACURRICULAR
53 ACTIVITY BY NAME, SO AS TO PORTRAY AN ACCURATE DEPICTION OF THE EFFECTS
54 A CONTINGENT BUDGET WILL HAVE ON A SCHOOL DISTRICT. IN ADDITION, EACH
55 ITEM LISTED SHALL HAVE A DOLLAR AMOUNT CORRESPONDING TO IT IN ORDER TO

1 CLEARLY DEPICT THE AMOUNT SUCH REDUCTION OR ELIMINATION ACTUALLY
2 DECREASES THE TOTAL SPENDING THE INITIAL BUDGET PROPOSES.

3 S 5. Subdivision 2-a of section 2022 of the education law is amended
4 by adding a new paragraph c to read as follows:

5 C. NO SCHOOL DISTRICT SHALL USE PUBLIC FUNDS TO DISSEMINATE PARTISAN
6 INFORMATION REGARDING A VOTE OR AN ELECTION. FURTHER, A SCHOOL DISTRICT
7 SHALL NOT ALLOW ACCESS TO A SCHOOL'S CHANNELS OF COMMUNICATION OR TRANS-
8 PORTATION TO ESPOUSE A PARTISAN POSITION.

9 S 6. Paragraph a of subdivision 7 of section 1608 of the education
10 law, as amended by section 4 of part A of chapter 97 of the laws of
11 2011, is amended and two new subdivisions 4-a and 8 are added to read as
12 follows:

13 a. Each year, commencing with the proposed budget for the two thou-
14 sand--two thousand one school year, the trustee or board of trustees
15 shall prepare a property tax report card, pursuant to regulations of the
16 commissioner, and shall make it publicly available by transmitting it to
17 local newspapers of general circulation, appending it to copies of the
18 proposed budget made publicly available as required by law, making it
19 available for distribution at the annual meeting, and otherwise dissem-
20 inating it as required by the commissioner. Such report card shall
21 include: (i) the amount of total spending and total estimated school tax
22 levy that would result from adoption of the proposed budget and the
23 percentage increase or decrease in total spending and total school tax
24 levy from the school district budget for the preceding school year;
25 [and] (ii) the district's tax levy limit determined pursuant to section
26 two thousand twenty-three-a of this title, and the estimated school tax
27 levy, excluding any levy necessary to support the expenditures pursuant
28 to subparagraphs (i) through (iv) of paragraph i of subdivision two of
29 section two thousand twenty-three-a of this title, that would result
30 from adoption of the proposed budget; [and] (iii) the projected enroll-
31 ment growth for the school year for which the budget is prepared, and
32 the percentage change in enrollment from the previous year; [and] (iv)
33 the percentage increase in the consumer price index, as defined in para-
34 graph c of this subdivision; [and] (v) the projected amount of the unap-
35 propriated unreserved fund balance that will be retained if the proposed
36 budget is adopted, the projected amount of the reserved fund balance,
37 the projected amount of the appropriated fund balance, the percentage of
38 the proposed budget that the unappropriated unreserved fund balance
39 represents, the actual unappropriated unreserved fund balance retained
40 in the school district budget for the preceding school year, and the
41 percentage of the school district budget for the preceding school year
42 that the actual unappropriated unreserved fund balance represents; AND
43 (VI) THE AMOUNT OF UNEXPENDED SURPLUS FUNDS. FOR PURPOSES OF THIS PARA-
44 GRAPH, THE TERM "SURPLUS FUNDS" SHALL MEAN ANY AND ALL OPERATING FUNDS
45 IN EXCESS OF TWO PERCENT OF THE CURRENT SCHOOL YEAR BUDGET, REGARDLESS
46 OF THE ACCOUNT IN WHICH SUCH FUNDS ARE HELD.

47 4-A. THE PROGRAM COMPONENT, CAPITAL COMPONENT AND THE ADMINISTRATIVE
48 COMPONENT SHALL BE PRESENTED TO THE QUALIFIED VOTERS IN A SINGLE PROPO-
49 SITION. THERE SHALL BE NO SEPARATE PROPOSITIONS FOR ANY EXPENDITURE
50 REQUIRED TO BE INCLUDED IN THE BUDGET UNDER SUBDIVISION FOUR OF THIS
51 SECTION.

52 8. EACH YEAR THE BOARD OF EDUCATION SHALL PREPARE A SCHOOL BUDGET
53 COMPARISON CARD PURSUANT TO REGULATIONS OF THE COMMISSIONER AND SHALL
54 MAKE IT PUBLICLY AVAILABLE BY TRANSMITTING IT TO LOCAL NEWSPAPERS OF
55 GENERAL CIRCULATION, APPENDING IT TO COPIES OF THE PROPOSED BUDGET MADE
56 PUBLICLY AVAILABLE AS REQUIRED BY LAW, MAKING IT AVAILABLE FOR DISTRIB-

1 UTION AT THE ANNUAL MEETING AND OTHERWISE DISSEMINATING IT AS REQUIRED
2 BY THE COMMISSIONER. SUCH COMPARISON CARD SHALL INCLUDE:

3 A. THE TOTAL DOLLAR AMOUNT APPROPRIATED IN THE SCHOOL BUDGET ADOPTED
4 THE PREVIOUS YEAR;

5 B. THE TOTAL DOLLAR AMOUNT ACTUALLY SPENT PURSUANT TO THE SCHOOL BUDG-
6 ET ADOPTED THE PREVIOUS YEAR;

7 C. THE TOTAL AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED BUDGET FOR
8 THE ENSUING YEAR;

9 D. THE MAXIMUM AMOUNT OF MONEY AVAILABLE UNDER THE CONTINGENT BUDGET
10 CAP FOR THE ENSUING YEAR; AND

11 E. THE TOTAL DOLLAR AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED
12 CONTINGENT BUDGET FOR THE ENSUING YEAR.

13 S 7. Paragraph a of subdivision 7 of section 1608 of the education
14 law, as amended by chapter 238 of the laws of 2007, is amended and two
15 new subdivisions 4-a and 8 are added to read as follows:

16 a. Each year, commencing with the proposed budget for the two thou-
17 sand--two thousand one school year, the trustee or board of trustees
18 shall prepare a property tax report card, pursuant to regulations of the
19 commissioner, and shall make it publicly available by transmitting it to
20 local newspapers of general circulation, appending it to copies of the
21 proposed budget made publicly available as required by law, making it
22 available for distribution at the annual meeting, and otherwise dissem-
23 inating it as required by the commissioner. Such report card shall
24 include: (i) the amount of total spending and total estimated school tax
25 levy that would result from adoption of the proposed budget and the
26 percentage increase or decrease in total spending and total school tax
27 levy from the school district budget for the preceding school year;
28 [and] (ii) the projected enrollment growth for the school year for which
29 the budget is prepared, and the percentage change in enrollment from the
30 previous year; [and] (iii) the percentage increase in the consumer price
31 index, as defined in paragraph c of this subdivision; [and] (iv) the
32 projected amount of the unappropriated unreserved fund balance that will
33 be retained if the proposed budget is adopted, the projected amount of
34 the reserved fund balance, the projected amount of the appropriated fund
35 balance, the percentage of the proposed budget that the unappropriated
36 unreserved fund balance represents, the actual unappropriated unreserved
37 fund balance retained in the school district budget for the preceding
38 school year, and the percentage of the school district budget for the
39 preceding school year that the actual unappropriated unreserved fund
40 balance represents; AND (V) THE AMOUNT OF UNEXPENDED SURPLUS FUNDS. FOR
41 PURPOSES OF THIS PARAGRAPH, THE TERM "SURPLUS FUNDS" SHALL MEAN ANY AND
42 ALL OPERATING FUNDS IN EXCESS OF TWO PERCENT OF THE CURRENT SCHOOL YEAR
43 BUDGET, REGARDLESS OF THE ACCOUNT IN WHICH SUCH FUNDS ARE HELD.

44 4-A. THE PROGRAM COMPONENT, CAPITAL COMPONENT AND THE ADMINISTRATIVE
45 COMPONENT SHALL BE PRESENTED TO THE QUALIFIED VOTERS IN A SINGLE PROPO-
46 SITION. THERE SHALL BE NO SEPARATE PROPOSITIONS FOR ANY EXPENDITURE
47 REQUIRED TO BE INCLUDED IN THE BUDGET UNDER SUBDIVISION FOUR OF THIS
48 SECTION.

49 8. EACH YEAR THE BOARD OF EDUCATION SHALL PREPARE A SCHOOL BUDGET
50 COMPARISON CARD PURSUANT TO REGULATIONS OF THE COMMISSIONER AND SHALL
51 MAKE IT PUBLICLY AVAILABLE BY TRANSMITTING IT TO LOCAL NEWSPAPERS OF
52 GENERAL CIRCULATION, APPENDING IT TO COPIES OF THE PROPOSED BUDGET MADE
53 PUBLICLY AVAILABLE AS REQUIRED BY LAW, MAKING IT AVAILABLE FOR DISTRIB-
54 UTION AT THE ANNUAL MEETING AND OTHERWISE DISSEMINATING IT AS REQUIRED
55 BY THE COMMISSIONER. SUCH COMPARISON CARD SHALL INCLUDE:

- 1 A. THE TOTAL DOLLAR AMOUNT APPROPRIATED IN THE SCHOOL BUDGET ADOPTED
2 THE PREVIOUS YEAR;
- 3 B. THE TOTAL DOLLAR AMOUNT ACTUALLY SPENT PURSUANT TO THE SCHOOL BUDG-
4 ET ADOPTED THE PREVIOUS YEAR;
- 5 C. THE TOTAL AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED BUDGET FOR
6 THE ENSUING YEAR;
- 7 D. THE MAXIMUM AMOUNT OF MONEY AVAILABLE UNDER THE CONTINGENT BUDGET
8 CAP FOR THE ENSUING YEAR; AND
- 9 E. THE TOTAL DOLLAR AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED
10 CONTINGENT BUDGET FOR THE ENSUING YEAR.

11 S 8. Subdivision 7 of section 2601-a of the education law, as amended
12 by section 9 of part A of chapter 97 of the laws of 2011, is amended and
13 two new subdivisions 3-a and 8 are added to read as follows:

14 7. Each year, the board of education shall prepare a school district
15 report card, pursuant to regulations of the commissioner, and shall make
16 it publicly available by transmitting it to local newspapers of general
17 circulation, appending it to copies of the proposed budget made publicly
18 available as required by law, making it available for distribution at
19 the annual meeting, and otherwise disseminating it as required by the
20 commissioner. Such report card shall include measures of the academic
21 performance of the school district, on a school by school basis, and
22 measures of the fiscal performance of the district, as prescribed by the
23 commissioner. Pursuant to regulations of the commissioner, the report
24 card shall also compare these measures to statewide averages for all
25 public schools, and statewide averages for public schools of comparable
26 wealth and need, developed by the commissioner. Such report card shall
27 include, at a minimum, any information on the school district regarding
28 pupil performance and expenditure per pupil required to be included in
29 the annual report by the regents to the governor and the legislature
30 pursuant to section two hundred fifteen-a of this chapter, THE AMOUNT OF
31 UNEXPENDED SURPLUS FUNDS; and any other information required by the
32 commissioner. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "SURPLUS FUNDS"
33 SHALL MEAN ANY AND ALL OPERATING FUNDS IN EXCESS OF TWO PERCENT OF THE
34 CURRENT SCHOOL YEAR BUDGET, REGARDLESS OF THE ACCOUNT IN WHICH SUCH
35 FUNDS ARE HELD. School districts (i) identified as having fifteen
36 percent or more of their students in special education, or (ii) which
37 have fifty percent or more of their students with disabilities in
38 special education programs or services sixty percent or more of the
39 school day in a general education building, or (iii) which have eight
40 percent or more of their students with disabilities in special education
41 programs in public or private separate educational settings shall indi-
42 cate on their school district report card their respective percentages
43 as defined in this paragraph and paragraphs (i) and (ii) of this subdi-
44 vision as compared to the statewide average.

45 3-A. THE PROGRAM COMPONENT, CAPITAL COMPONENT AND THE ADMINISTRATIVE
46 COMPONENT SHALL BE PRESENTED TO THE QUALIFIED VOTERS IN A SINGLE PROPO-
47 SITION. THERE SHALL BE NO SEPARATE PROPOSITIONS FOR ANY EXPENDITURE
48 REQUIRED TO BE INCLUDED IN THE BUDGET UNDER SUBDIVISION FOUR OF THIS
49 SECTION.

50 8. EACH YEAR THE BOARD OF EDUCATION SHALL PREPARE A SCHOOL BUDGET
51 COMPARISON CARD PURSUANT TO REGULATIONS OF THE COMMISSIONER AND SHALL
52 MAKE IT PUBLICLY AVAILABLE BY TRANSMITTING IT TO LOCAL NEWSPAPERS OF
53 GENERAL CIRCULATION, APPENDING IT TO COPIES OF THE PROPOSED BUDGET MADE
54 PUBLICLY AVAILABLE AS REQUIRED BY LAW, MAKING IT AVAILABLE FOR DISTRIB-
55 UTION AT THE ANNUAL MEETING AND OTHERWISE DISSEMINATING IT AS REQUIRED
56 BY THE COMMISSIONER. SUCH COMPARISON CARD SHALL INCLUDE:

- 1 A. THE TOTAL DOLLAR AMOUNT APPROPRIATED IN THE SCHOOL BUDGET ADOPTED
2 THE PREVIOUS YEAR;
- 3 B. THE TOTAL DOLLAR AMOUNT ACTUALLY SPENT PURSUANT TO THE SCHOOL BUDG-
4 ET ADOPTED THE PREVIOUS YEAR;
- 5 C. THE TOTAL AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED BUDGET FOR
6 THE ENSUING YEAR;
- 7 D. THE MAXIMUM AMOUNT OF MONEY AVAILABLE UNDER THE CONTINGENT BUDGET
8 CAP FOR THE ENSURING YEAR; AND
- 9 E. THE TOTAL DOLLAR AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED
10 CONTINGENT BUDGET FOR THE ENSURING YEAR.

11 S 9. Subdivision 7 of section 2601-a of the education law, as added by
12 chapter 474 of the laws of 1996, is amended and two new subdivisions 3-a
13 and 8 are added to read as follows:

14 7. Each year, the board of education shall prepare a school district
15 report card, pursuant to regulations of the commissioner, and shall make
16 it publicly available by transmitting it to local newspapers of general
17 circulation, appending it to copies of the proposed budget made publicly
18 available as required by law, making it available for distribution at
19 the annual meeting, and otherwise disseminating it as required by the
20 commissioner. Such report card shall include measures of the academic
21 performance of the school district, on a school by school basis, and
22 measures of the fiscal performance of the district, as prescribed by the
23 commissioner. Pursuant to regulations of the commissioner, the report
24 card shall also compare these measures to statewide averages for all
25 public schools, and statewide averages for public schools of comparable
26 wealth and need, developed by the commissioner. Such report card shall
27 include, at a minimum, any information on the school district regarding
28 pupil performance and expenditure per pupil required to be included in
29 the annual report by the regents to the governor and the legislature
30 pursuant to section two hundred fifteen-a of this chapter, THE AMOUNT OF
31 UNEXPENDED SURPLUS FUNDS; and any other information required by the
32 commissioner. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "SURPLUS FUNDS"
33 SHALL MEAN ANY AND ALL OPERATING FUNDS IN EXCESS OF TWO PERCENT OF THE
34 CURRENT SCHOOL YEAR BUDGET, REGARDLESS OF THE ACCOUNT IN WHICH SUCH
35 FUNDS ARE HELD. School districts (i) identified as having fifteen
36 percent or more of their students in special education, or (ii) which
37 have fifty percent or more of their students with disabilities in
38 special education programs or services sixty percent or more of the
39 school day in a general education building, or (iii) which have eight
40 percent or more of their students with disabilities in special education
41 programs in public or private separate educational settings shall indi-
42 cate on their school district report card their respective percentages
43 as defined in this paragraph and paragraphs (i) and (ii) of this subdi-
44 vision as compared to the statewide average.

45 3-A. THE PROGRAM COMPONENT, CAPITAL COMPONENT AND THE ADMINISTRATIVE
46 COMPONENT SHALL BE PRESENTED TO THE QUALIFIED VOTERS IN A SINGLE PROPO-
47 SITION. THERE SHALL BE NO SEPARATE PROPOSITIONS FOR ANY EXPENDITURE
48 REQUIRED TO BE INCLUDED IN THE BUDGET UNDER SUBDIVISION FOUR OF THIS
49 SECTION.

50 8. EACH YEAR THE BOARD OF EDUCATION SHALL PREPARE A SCHOOL BUDGET
51 COMPARISON CARD PURSUANT TO REGULATIONS OF THE COMMISSIONER AND SHALL
52 MAKE IT PUBLICLY AVAILABLE BY TRANSMITTING IT TO LOCAL NEWSPAPERS OF
53 GENERAL CIRCULATION, APPENDING IT TO COPIES OF THE PROPOSED BUDGET MADE
54 PUBLICLY AVAILABLE AS REQUIRED BY LAW, MAKING IT AVAILABLE FOR DISTRIB-
55 UTION AT THE ANNUAL MEETING AND OTHERWISE DISSEMINATING IT AS REQUIRED
56 BY THE COMMISSIONER. SUCH COMPARISON CARD SHALL INCLUDE:

1 A. THE TOTAL DOLLAR AMOUNT APPROPRIATED IN THE SCHOOL BUDGET ADOPTED
2 THE PREVIOUS YEAR;

3 B. THE TOTAL DOLLAR AMOUNT ACTUALLY SPENT PURSUANT TO THE SCHOOL BUDG-
4 ET ADOPTED THE PREVIOUS YEAR;

5 C. THE TOTAL AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED BUDGET FOR
6 THE ENSUING YEAR;

7 D. THE MAXIMUM AMOUNT OF MONEY AVAILABLE UNDER THE CONTINGENT BUDGET
8 CAP FOR THE ENSUING YEAR; AND

9 E. THE TOTAL DOLLAR AMOUNT TO BE APPROPRIATED UNDER THE PROPOSED
10 CONTINGENT BUDGET FOR THE ENSUING YEAR.

11 S 10. The education law is amended by adding a new section 141 to read
12 as follows:

13 S 141. DISCLOSURE OF VIOLATIONS. THE COMMISSIONER MAY REQUIRE THAT
14 UPON THE FINDING THAT A SCHOOL DISTRICT HAS VIOLATED ANY PROVISION OF
15 THIS CHAPTER, NOTICE OF SUCH VIOLATION SHALL BE PUBLICIZED BY TRANSMIT-
16 TING A DESCRIPTION OF THE COMMISSIONER'S FINDINGS TO THE SCHOOL NEWSLET-
17 TER OR PAPER. SUCH DESCRIPTION SHALL BE PUBLISHED AT LEAST TWICE BEFORE
18 THE ANNUAL BUDGET HEARING. FURTHER, NOTICE OF AND A DESCRIPTION OF EACH
19 VIOLATION SHALL BE READ INTO THE RECORD AT THE NEXT SUCCEEDING ANNUAL
20 BUDGET HEARING.

21 S 11. This act shall take effect immediately, provided that:

22 1. the amendments to section 2022 of the education law made by
23 section three of this act shall be subject to the expiration and rever-
24 sion of such section pursuant to section 13 of chapter 97 of the laws of
25 2011, as amended, when upon such date the provisions of section four of
26 this act shall take effect;

27 2. subdivision 2-a of section 2022 of the education law as added by
28 section five of this act shall survive the expiration and reversion of
29 such section as provided in section 13 of chapter 97 of the laws of
30 2011, as amended;

31 3. the amendments to paragraph a of subdivision 7 of section 1608 of
32 the education law made by section six of this act shall be subject to
33 the expiration and reversion of such paragraph pursuant to section 13 of
34 chapter 97 of the laws of 2011, as amended, when upon such date the
35 provisions of section seven of this act shall take effect; and

36 4. the amendments to subdivision 7 of section 2601-a of the education
37 law made by section eight of this act shall be subject to the expiration
38 and reversion of such section pursuant to section 13 of chapter 97 of
39 the laws of 2011, as amended, when upon such date the provisions of
40 section nine of this act shall take effect.