

5456--A

2013-2014 Regular Sessions

I N   S E N A T E

May 16, 2013

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Introduced by Sen. CARLUCCI -- 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

AN ACT to amend the education law, in relation to establishing the school district financial accountability act

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

1     Section 1. The education law is amended by adding a new article 78 to  
2     read as follows:

3   ARTICLE 78

4                             SCHOOL DISTRICT FISCAL ACCOUNTABILITY ACT

5     SECTION 3817. SHORT TITLE.

6             3818. LEGISLATIVE FINDINGS AND INTENT.

7             3819. DEFINITIONS.

8             3820. LONG RANGE FINANCIAL PLAN.

9             3821. PUBLIC ACCESS TO FINANCIAL INFORMATION.

10     S 3817. SHORT TITLE. THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE  
11     "SCHOOL DISTRICT FISCAL ACCOUNTABILITY ACT."

12     S 3818. LEGISLATIVE FINDINGS AND INTENT. THE LEGISLATURE HEREBY FINDS,  
13     DETERMINES AND DECLARES THAT:

14     1. SCHOOL DISTRICT FINANCES ARE COMPLEX AND MULTI-FACETED AND REQUIRE  
15     A HIGH LEVEL OF EXPERTISE IN FISCAL MANAGEMENT TO ENSURE THAT TAXPAYER  
16     FUNDS ARE PROPERLY MANAGED AND ALLOCATED.

17     2. APPROPRIATELY MANAGED SCHOOL FINANCES ARE CRITICAL TO ENSURING THAT  
18     SCHOOL DISTRICTS HAVE THE RESOURCES NECESSARY TO PROVIDE A SOUND BASIC  
19     EDUCATION THAT PREPARES STUDENTS TO BE CAREER AND COLLEGE READY.

20     3. SCHOOL DISTRICT FINANCES SHOULD BE TRANSPARENT AND ACCESSIBLE TO  
21     THE PUBLIC SO THEY MAY HAVE A CLEAR PICTURE OF THE FISCAL CONDITION OF  
22     THE SCHOOL DISTRICT.

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

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1 S 3819. DEFINITIONS. FOR THE PURPOSE OF THIS ARTICLE:

2 1. "SCHOOL DISTRICT" SHALL MEAN ANY SCHOOL DISTRICT ORGANIZATION  
3 DEFINED IN TITLE TWO OF THIS CHAPTER.

4 2. "CHIEF FINANCIAL OFFICER" SHALL MEAN ANY SCHOOL DISTRICT EMPLOYEE  
5 WITH THE TITLE OF ASSISTANT SUPERINTENDENT FOR BUSINESS, SCHOOL BUSINESS  
6 ADMINISTRATOR, SCHOOL BUSINESS OFFICIAL, OR SIMILAR TITLE THAT REPORTS  
7 DIRECTLY TO THE SUPERINTENDENT, AND HOLDS THE APPROPRIATE CERTIFICATION  
8 AS REQUIRED BY THE DEPARTMENT OR THE OPERATIVE CIVIL SERVICE AGENCY, AS  
9 APPROPRIATE.

10 3. "LONG RANGE FINANCIAL PLAN" SHALL MEAN A PLAN THAT INCLUDES PROJEC-  
11 TIONS FOR THE SUBSEQUENT FIVE YEARS OF THE SCHOOL DISTRICT THAT COVERS:  
12 (A) REVENUES, (B) EXPENDITURES, (C) UNASSIGNED FUND BALANCE, (D)  
13 RESTRICTED FUND BALANCE, (E) CAPITAL PROJECT PLANNING OR IMPLEMENTING  
14 AND FINANCING THE DISTRICT'S FIVE-YEAR FACILITY PLAN, AND (F) RESOURCES  
15 REQUIRED TO IMPLEMENT AN INSTRUCTIONAL PROGRAM NECESSARY TO ENSURE THAT  
16 ALL STUDENTS GRADUATE COLLEGE AND CAREER READY.

17 S 3820. LONG RANGE FINANCIAL PLAN. EVERY YEAR, COMMENCING WITH THE  
18 PROPOSED BUDGET FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN  
19 SCHOOL YEAR, THE CHIEF FINANCIAL OFFICER OF EACH SCHOOL DISTRICT SHALL  
20 PREPARE FOR APPROVAL BY THE TRUSTEES OR BOARD OF TRUSTEES A FIVE-YEAR  
21 LONG-RANGE FINANCIAL PLAN.

22 S 3821. PUBLIC ACCESS TO FINANCIAL INFORMATION. NOTWITHSTANDING ANY  
23 OTHER LAW TO THE CONTRARY, A SCHOOL DISTRICT MUST POST ON ITS WEBSITE,  
24 THE DISTRICT'S LONG RANGE FINANCIAL PLAN, ANNUAL AUDITED FINANCIAL  
25 STATEMENT, INCLUDING ANY CORRECTIVE ACTION PLAN, AND ADOPTED ANNUAL  
26 BUDGET.

27 S 2. This act shall take effect one year after it shall have become a  
28 law.