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

5456--B

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

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 -- 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:

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

ARTICLE 78

SCHOOL DISTRICT FISCAL ACCOUNTABILITY ACT

SECTION 3817. SHORT TITLE.
3818. LEGISLATIVE FINDINGS AND INTENT.
3819. DEFINITIONS.
3820. LONG RANGE FINANCIAL PLAN.
3821. PUBLIC ACCESS TO FINANCIAL INFORMATION.

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

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

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

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

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

LBD10639-07-4

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

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

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

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

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

S 3820. LONG RANGE FINANCIAL PLAN. EVERY YEAR, COMMENCING WITH THE PROPOSED BUDGET FOR THE TWO THOUSAND FIFTEEN--TWO THOUSAND SIXTEEN SCHOOL YEAR, THE SCHOOL BUSINESS OFFICIAL OF EACH SCHOOL DISTRICT SHALL PREPARE FOR APPROVAL BY THE TRUSTEES OR BOARD OF TRUSTEES A FIVE-YEAR LONG-RANGE FINANCIAL PLAN.

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

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