

7675

2015-2016 Regular Sessions

I N A S S E M B L Y

May 21, 2015

Introduced by M. of A. BUCHWALD, NOLAN -- (at request of the State Comptroller) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring notice of reserve funds and reserves funded by resolution and to require that each school district post on its website, if any, a final annual budget and any multi-year financial plan adopted by the board of education or trustees

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

1 Section 1. Subdivision 5 of section 1608 of the education law, as
2 amended by section 5 of part A of chapter 436 of the laws of 1997, is
3 amended to read as follows:
4 5. The trustee or board of trustees shall append to the statement of
5 estimated expenditures a detailed statement of the total compensation to
6 be paid to the superintendent of schools, and any assistant or associate
7 superintendents of schools in the ensuing school year, including a
8 delineation of the salary, annualized cost of benefits and any in-kind
9 or other form of remuneration, AND A SCHEDULE OF RESERVE FUNDS, SETTING
10 FORTH THE NAME OF EACH RESERVE FUND, A DESCRIPTION OF ITS PURPOSE, THE
11 BALANCE AS OF THE CLOSE OF THE THIRD QUARTER OF THE CURRENT SCHOOL
12 DISTRICT FISCAL YEAR AND A BRIEF STATEMENT EXPLAINING ANY PLANS FOR THE
13 USE OF EACH SUCH RESERVE FUND FOR THE ENSUING FISCAL YEAR. The trustees
14 shall also append a list of all other school administrators and supervi-
15 sors, if any, whose annual salary will be eighty-five thousand dollars
16 or more in the ensuing school year, with the title of their positions
17 and annual salary identified; provided however, that the commissioner
18 may adjust such salary level to reflect increases in administrative
19 salaries after June thirtieth, nineteen hundred ninety-eight. The trus-
20 tees shall submit a copy of such list and statement, in a form
21 prescribed by the commissioner, of compensation to the commissioner
22 within five days after their preparation. The commissioner shall compile

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

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1 such data, together with the data submitted pursuant to subdivision
2 three of section seventeen hundred sixteen of this chapter, into a
3 single statewide compilation, which shall be made available to the
4 governor, the legislature, and other interested parties upon request.

5 S 2. Subdivision 5 of section 1716 of the education law, as amended by
6 section 7 of part A of chapter 436 of the laws of 1997, is amended to
7 read as follows:

8 5. The board of education shall append to the statement of estimated
9 expenditures a detailed statement of the total compensation to be paid
10 to the superintendent of schools, and any assistant or associate super-
11 intendants of schools in the ensuing school year, including a deline-
12 ation of the salary, annualized cost of benefits and any in-kind or
13 other form of remuneration, AND A SCHEDULE OF RESERVE FUNDS, SETTING
14 FORTH THE NAME OF EACH RESERVE FUND, A DESCRIPTION OF ITS PURPOSE, THE
15 BALANCE AS OF THE CLOSE OF THE THIRD QUARTER OF THE CURRENT SCHOOL
16 DISTRICT FISCAL YEAR AND A BRIEF STATEMENT EXPLAINING ANY PLANS FOR THE
17 USE OF EACH SUCH RESERVE FUND FOR THE ENSUING FISCAL YEAR. The board
18 shall also append a list of all other school administrators and supervi-
19 sors, if any, whose annual salary will be eighty-five thousand dollars
20 or more in the ensuing school year, with the title of their positions
21 and annual salary identified; provided however, that the commissioner
22 may adjust such salary level to reflect increases in administrative
23 salaries after June thirtieth, nineteen hundred ninety-eight. The board
24 of education shall submit a copy of such list and statement, in a form
25 prescribed by the commissioner, of compensation to the commissioner
26 within five days after their preparation. The commissioner shall compile
27 such data, together with the data submitted pursuant to subdivision four
28 of section sixteen hundred eight of this chapter, into a single state-
29 wide compilation, which shall be made available to the governor, the
30 legislature, and other interested parties upon request.

31 S 3. The education law is amended by adding a new section 3653 to read
32 as follows:

33 S 3653. RESERVES FUNDED BY RESOLUTION. IN ADDITION TO ANY OTHER
34 REQUIREMENTS, NO MONIES SHALL BE PAID OR TRANSFERRED INTO ANY RESERVE
35 FUND, ESTABLISHED PURSUANT TO THIS CHAPTER OR ANY OTHER CHAPTER OF LAW,
36 FOR THE PURPOSE OF INCREASING THE FUNDING OF SUCH RESERVE FUND, UNLESS
37 EXPRESSLY AUTHORIZED BY A RESOLUTION OF THE BOARD OF EDUCATION OR TRUS-
38 TEES OF A SCHOOL DISTRICT.

39 S 4. Section 2116-a of the education law is amended by adding a new
40 subdivision 3-b to read as follows:

41 3-B. EACH SCHOOL DISTRICT SHALL IN A TIMELY FASHION POST ON ITS
42 WEBSITE, IF ANY, THE ANNUAL EXTERNAL AUDIT REPORT AND THE CORRECTIVE
43 ACTION PLAN PREPARED IN RESPONSE TO ANY FINDINGS CONTAINED IN THE ANNUAL
44 EXTERNAL AUDIT REPORT OR MANAGEMENT LETTER, OR ANY FINAL AUDIT REPORT
45 ISSUED BY THE STATE COMPTROLLER.

46 S 5. Section 2022 of the education law, as amended by section 7 of
47 part A of chapter 97 of the laws of 2011, is amended by adding a new
48 subdivision 7 to read as follows:

49 7. EACH SCHOOL DISTRICT SHALL POST ON ITS WEBSITE, IF ANY, A FINAL
50 ANNUAL BUDGET AND ANY MULTI-YEAR FINANCIAL PLAN ADOPTED BY THE BOARD OF
51 EDUCATION OR TRUSTEES.

52 S 6. Section 2022 of the education law, as amended by section 23 of
53 part A of chapter 436 of the laws of 1997, is amended by adding a new
54 subdivision 7 to read as follows:

1 7. EACH SCHOOL DISTRICT SHALL POST ON ITS WEBSITE, IF ANY, A FINAL
2 ANNUAL BUDGET AND ANY MULTI-YEAR FINANCIAL PLAN ADOPTED BY THE BOARD OF
3 EDUCATION OR TRUSTEES.

4 S 7. This act shall take effect on the first of July next succeeding
5 the date on which it shall have become a law; provided, however, that
6 the amendment to section 2022 of the education law made by section five
7 of this act shall be subject to the expiration and reversion of such
8 section pursuant to section 23 of part A of chapter 436 of the laws of
9 1997, as amended, when upon such date the provisions of section six of
10 this act shall take effect.