

STATE OF NEW YORK

7846

IN SENATE

March 2, 2018

Introduced by Sen. PHILLIPS -- 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 approvals, modifications and rejections of smart schools investment plans by the smart schools review board

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraphs 2 and 3 of paragraph b of subdivision 16 of
2 section 3641 of the education law, subparagraph 2 as added by section 2
3 of part C of chapter 56 of the laws of 2014 and subparagraph 3 as
4 amended by section 3 of part YYY of chapter 59 of the laws of 2017, are
5 amended to read as follows:

6 (2) No school district shall be entitled to a smart schools grant
7 until such district shall have submitted a smart schools investment plan
8 to the smart schools review board and received such board's approval of
9 such investment plan. The smart schools review board shall meet on a
10 monthly basis for purposes of approving such plans and providing updates
11 on pending applications. In developing such investment plan, school
12 districts shall consult with parents, teachers, students, community
13 members and other stakeholders.

14 (3) The smart schools review board shall review all smart schools
15 investment plans for compliance with all eligibility criteria and other
16 requirements set forth in the guidelines. The smart schools review board
17 may approve or reject such plans, or may return such plans to the school
18 district for modifications; provided that notwithstanding any inconsis-
19 tent provision of law, the smart schools review board shall approve no
20 such plan first submitted to the department on or after April fifteenth,
21 two thousand seventeen, unless such plan calculates the amount of class-
22 room technology to be loaned to students attending nonpublic schools
23 pursuant to section seven hundred fifty-five of this chapter in a manner
24 that includes the amount budgeted by the school district for servers,
25 wireless access points and other portable connectivity devices to be
26 acquired as part of a school connectivity project; provided, further,
27 that if a plan is rejected or modifications are sought, such school

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

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1 district shall be notified within seven days of the initial submission.
2 Upon approval, the smart schools project or projects described in the
3 investment plan shall be eligible for smart schools grants. A smart
4 schools project included in a school district's smart schools investment
5 plan shall not require separate approval of the commissioner unless it
6 is part of a school construction project required to be submitted for
7 approval of the commissioner pursuant to section four hundred eight of
8 this chapter and/or subdivision six of section thirty-six hundred two of
9 this article. Any department, agency or public authority shall provide
10 the smart schools review board with any information it requires to
11 fulfill its duties pursuant to this subdivision. The department, the
12 division of the budget and the state university of New York shall devel-
13 op a process for notifying districts of the status of a pending applica-
14 tion and shall develop a process for responding to inquiries about pend-
15 ing applications in a time certain, but under no circumstances shall
16 such response exceed seven days.

17 § 2. Subparagraph 2 of paragraph c of subdivision 16 of section 3641
18 of the education law, as added by section 2 of part C of chapter 56 of
19 the laws of 2014, is amended to read as follows:

20 (2) The amounts determined pursuant to this subdivision to be paid to
21 school districts shall be certified by the commissioner in accordance
22 with this subdivision. If, upon the option of a school district, a smart
23 schools investment plan directs that an amount be transferred or subal-
24 located to a department, agency, or public authority to be spent on
25 behalf of the school district, such amounts shall be transferred or
26 suballocated, consistent with such plan, upon the approval of the direc-
27 tor of the budget. The amounts of money so certified or made available
28 shall be paid by the comptroller in accordance with appropriations
29 therefor, provided, however, that the payment schedule set forth in
30 subdivision one of this section shall not apply to such payments,
31 provided, further that such payments shall, to the extent practicable,
32 be paid within thirty days of approval of such projects by the smart
33 schools review board. Such payment shall fulfill any obligation of the
34 state or the commissioner to apportion funds pursuant to this subdivi-
35 sion, and whenever a school district has been apportioned more money
36 pursuant to this subdivision than that to which it is entitled, the
37 commissioner may deduct such amount from the next apportionment to be
38 made to such school district.

39 § 3. This act shall take effect immediately.