*** § 2590-q. Budgetary and fiscal processes.** 1. The chancellor shall annually advise the community district education councils with respect to the form and content of the budget requests and accompanying fiscal estimates required to be submitted by the mayor of the city of New York for the next ensuing fiscal year, together with such additional information as he or she may require.

4. On such date as the mayor shall direct, the chancellor shall submit to the mayor:

(a) estimates, as adopted by the city board, of the total sum of money which it deems necessary for the operation of the city district (other than functions to be financed from funds provided for in the capital budget of the city) during the next fiscal year of the city, together with the estimates submitted by the community district education councils;

(b) estimates of the amount to be received as a result of the apportionment of moneys payable from the state in such fiscal year; and

(c) estimates of the amount to be received for school system expenditures by the city district in such fiscal year from sources other than appropriations of city funds or appropriations or other provisions of funds in the capital budget of the city or apportionment of moneys from the state payable in such fiscal year.

5. All estimates submitted by the chancellor shall be prepared in the manner prescribed by the New York city charter for submission of departmental estimates for current expenses to the mayor and shall set forth the total amounts proposed for programs or activities of the community district education councils in units of appropriation separate from those set forth for programs or activities operated by the city board; provided, however, that nothing shall prevent the inclusion in such estimates of a unit or units of appropriation to be allocated to community district education councils pursuant to subdivision ten of this section to finance innovative programs or activities by such community district education councils.

6. In acting on the proposed units of appropriation for programs or activities of community district education councils, the city council of

the city of New York may, subject to the veto of the mayor, increase or decrease the total amount of each such unit of appropriation but, notwithstanding any provision of the New York city charter or any other law to the contrary, it shall not have power to add any other unit of appropriation for one or more community district education councils.

7. (b) Not later than thirty days after the amount of such funds becomes determined by adoption of the budget pursuant to subdivision six of this section, by allocation pursuant to subdivisions ten, eleven, fourteen, and fifteen of this section, or otherwise, the chancellor shall transmit to each community district education council a statement enumerating the federal, state, city, and private funds which have been allocated thereunder to such community district education council for its programs.

(c) At the same time, the chancellor shall transmit to the community district education councils a statement of the allocation of the balance of such funds to the several programs administered by him or her and the city board including the distinct amounts assigned to each category of schools and programs set forth in section twenty-five hundred ninety-i of this article and the amount allocated for the operation of the city board, his or her office, and the other administrative bureaus and divisions thereof.

9. Special estimates to meet extraordinary expenses of emergencies which may arise in the course of a fiscal year may be submitted to the chancellor by any community district education council and, pursuant to subdivision six of section twenty-five hundred seventy-six of this title, the chancellor may, in his or her discretion, submit such special estimates to the mayor of the city of New York. The chancellor may also submit special estimates to the mayor in connection with the schools and programs under his or her jurisdiction.

10. Notwithstanding any provisions of law to the contrary, any moneys appropriated to or authorized for expenditure by the city board including moneys so appropriated to finance innovative programs or activities by community district education councils (but other than moneys so appropriated for the exercise of powers or duties reserved to

the city board) may be allocated by the chancellor to any community district education council. Allocations made pursuant to this subdivision shall be based on the needs of the recipient community district education councils, considered in conjunction with the needs of the schools and programs under the jurisdiction of the city board, in the case of moneys appropriated for innovative programs or activities, the relative merit of the programs or activities proposed by the respective community district education councils.

11. The chancellor shall perform all functions in connection with article seventy-three of this chapter; provided that the chancellor shall allocate to the community district education councils the state funds apportioned to the city district pursuant to such article seventy-three, less the amount of such funds necessary to enable the chancellor to carry out his or her responsibilities, on the basis of an objective formula established by the chancellor and approved by the city board annually, after consultation with the community district education councils and the mayor, which formula shall reflect the relative educational needs of the community districts to the maximum extent feasible.

12. The chancellor shall perform all functions in connection with sections twenty-five hundred seventy-six, twenty-five hundred seventy-seven, twenty-five hundred seventy-nine, twenty-five hundred eighty-one, twenty-five hundred eighty-two, twenty-five hundred eighty-three, and twenty-five hundred eighty-four of this title.

13. The city board through the chancellor shall perform all functions in connection with the capital budget as provided in chapter nine of the charter of the city of New York, except as otherwise provided herein.

14. With respect to special, federal, state, and private funds, each community district education council may:

(a) contract for and receive funds to be transmitted to the city board and disbursed through the chancellor. No special funds may be used as a means of bringing about the elimination of existing personnel lines, titles, or employees. Community district education councils may use

budget funds allocated and resources obtained within the scope of existing law and contractual obligations to design programs of educational excellence tailored to the needs and peculiar characteristics of the district;

(b) enter into contracts necessary or convenient to the discharge of the powers and duties with the city, state, and federal governments, private foundations, agencies and individuals, the city board, and other community district education councils, subject to the approval of the chancellor;

(c) in the case of federal or state funds not allocated to the city district on a formula basis, to apply to the funding agency, as a local educational agency, and to accept any funds granted or apportioned in this connection for its use and account; provided, however, that as to federal funds available to areas affected by federal activities pursuant to public law eight hundred seventy-four, community councils shall not be considered local educational agencies and shall have no power to apply directly to the funding agency, but such funds shall be reallocated to community district education councils by the chancellor in accordance with a formula established by the chancellor and approved by the city board as provided in subdivision ten of this section; and

(d) in the case of special funds allocated to the city district on a formula basis, to submit proposals to the chancellor for a review as to form only and prompt transmittal to the funding agency; provided, however, that in the case of such special funds community district education councils shall not be considered local educational agencies; and provided further that the total amount of such proposals submitted by any community district education council shall not exceed the amount of an apportionment made by the chancellor on the basis of a formula established by the chancellor and approved by the city board, after considering the recommendation of the chancellor and after consultation with community district education councils and the mayor, which formula reflects the same educational and economic factors as the formula for apportionment of such special funds to the city district; and provided further that each community district education council shall consult fully with non-public school authorities on a continuing basis with respect to any of such special funds applicable to non-public school programs and students subject to the power and duty of the city board

through the chancellor to ensure that applicable provisions of state and federal law and regulations with respect to programs for students in attendance at non-public schools throughout the city district shall be carried out.

15. With respect to special, federal, state, and private funds, the chancellor shall provide community district education councils with information about the availability of such funds and furnish technical assistance with respect to the preparation of proposals, record keeping, and the administration of such programs.

16. On or before October first of each year, the chancellor shall submit to the commissioner, in the form to be prescribed by him or her, the annual budget for the city district for the current fiscal year.

17. (a) Each community superintendent shall prepare semi-annual reports which shall be due by December fifteenth and April fifteenth of each year. Each report shall include but not be limited to an accounting of all funds received and expended by the subject community district education council from all sources, including appropriations for programs and activities of the district education council and receipts from external sources.

(b) In addition, a final year-end report shall be due on August fifteenth and shall include an accounting of all funds received and expended by the subject community district education council from all sources, including appropriations for programs and activities of the district education council.

(c) Copies of reports outlined in paragraphs (a) and (b) of this subdivision shall be given to the chancellor and the subject community district education council and shall be available to the public.

18. Notwithstanding any provision of law to the contrary, the powers and duties conferred on a community district education council by this section shall be exercised exclusively by the community superintendent employed by such council.

* NB Effective until June 30, 2028

* § 2590-q. Budgetary and fiscal processes. 1. The chancellor shall

annually advise the community boards with respect to the form and content of the budget requests and accompanying fiscal estimates required to be submitted by the mayor of the city of New York for the next ensuing fiscal year, together with such additional information as he may require.

4. On such date as the mayor shall direct, the city board shall submit to the mayor:

(a) estimates, as adopted, of the total sum of money which it deems necessary for the operation of the city district (other than functions to be financed from funds provided for in the capital budget of the city) during the next fiscal year of the city, together with the estimates submitted by the community boards, as originally submitted and as modified pursuant to subdivision three of this section;

(b) estimates of the amount to be received as a result of the apportionment of moneys payable from the state in such fiscal year; and

(c) estimates of the amount to be received for school system expenditures by the city district in such fiscal year from sources other than appropriations of city funds or appropriations or other provisions of funds in the capital budget of the city or apportionment of moneys from the state payable in such fiscal year.

5. All estimates submitted by the city board shall be prepared in the manner prescribed by the New York city charter for submission of departmental estimates for current expenses to the mayor and shall set forth the total amounts proposed for programs or activities of the community boards in units of appropriation separate from those set forth for programs or activities operated by the city board; provided, however, that nothing shall prevent the city board from including in such estimates a unit or units of appropriation to be allocated to it in its discretion, to community boards pursuant to subdivision ten of this section to finance innovative programs or activities by such community boards.

6. In acting on the proposed units of appropriation for programs or activities of community boards, the board of estimate and city council of the city of New York may, subject to the veto of the mayor, increase

or decrease the total amount of each such unit of appropriation but, notwithstanding any provision of the New York city charter or any other law to the contrary, they shall not have power to add any other unit of appropriation for one or more community boards.

7. (b) Not later than thirty days after the amount of such funds becomes determined by adoption of the budget pursuant to subdivision six, by allocation pursuant to subdivisions ten, eleven, fourteen and fifteen of this section, or otherwise, the chancellor shall transmit to each community board a statement enumerating the federal, state, city and private funds which have been allocated thereunder to such community board for its programs.

(c) At the same time, the chancellor shall transmit to the community boards a statement of the allocation of the balance of such funds to the several programs administered by him and the city board including the distinct amounts assigned to each category of schools and programs set forth in section twenty-five hundred ninety-i and the amount allocated for the operation of the city board, his office and the other administrative bureaus and divisions thereof.

9. Special estimates to meet extraordinary expenses of emergencies which may arise in the course of a fiscal year may be submitted to the chancellor by any community board and, pursuant to subdivision six of section twenty-five hundred seventy-six of this chapter, the chancellor may, in its discretion, submit such special estimates to the mayor of the city of New York. The chancellor may also submit special estimates to the mayor in connection with the schools and programs under his jurisdiction.

10. Notwithstanding any provisions of law to the contrary, any moneys appropriated to or authorized for expenditure by the city board including moneys so appropriated to finance innovative programs or activities by community boards (but other than moneys so appropriated for the exercise of powers or duties reserved to the city board) may be allocated by the chancellor to any community board. Allocations made pursuant to this subdivision shall be based on the needs of the recipient community boards, considered in conjunction with the needs of

the schools and programs under the jurisdiction of the city board, in the case of moneys appropriated for innovative programs or activities, the relative merit of the programs or activities proposed by the respective community boards.

11. The chancellor shall perform all functions in connection with article seventy-three of this chapter; provided that the chancellor shall allocate to the community boards the state funds apportioned to the city district pursuant to article seventy-three, less the amount of such funds necessary to enable the chancellor to carry out his responsibilities, on the basis of an objective formula established by the city board annually, after consultation with the community boards and the mayor, which formula shall reflect the relative educational needs of the community districts to the maximum extent feasible.

12. The chancellor shall perform all functions in connection with sections twenty-five hundred seventy-six, twenty-five hundred seventy-seven, twenty-five hundred seventy-nine, twenty-five hundred eighty-one, twenty-five hundred eighty-two, twenty-five hundred eighty-three and twenty-five hundred eighty-four of this chapter.

13. The city board through the chancellor shall perform all functions in connection with the capital budget as provided in chapter nine of the charter of the city of New York, except as otherwise provided herein.

14. With respect to special, federal, state and private funds, each community board may:

(a) contract for and receive funds to be transmitted to the city board and disbursed through the chancellor. No special funds may be used as a means of bringing about the elimination of existing personnel lines, titles or employees. Community boards may use budget funds allocated and resources obtained within the scope of existing law and contractual obligations to design programs of educational excellence tailored to the needs and peculiar characteristics of the district;

(b) enter into contracts necessary or convenient to the discharge of the powers and duties with the city, state and federal governments, private foundations, agencies and individuals, the city board and other

community boards subject to the approval of the chancellor;

(c) in the case of federal or state funds not allocated to the city district on a formula basis, to apply to the funding agency, as a local educational agency, and to accept any funds granted or apportioned in this connection for its use and account, provided, however, that as to federal funds available to areas affected by federal activities pursuant to public law eight hundred seventy-four, community boards shall not be considered local educational agencies and shall have no power to apply directly to the funding agency but such funds shall be reallocated to community boards by the chancellor in accordance with a formula determined by the city board as provided in subdivision ten of this section; and

(d) in the case of special funds allocated to the city district on a formula basis, to submit proposals to the chancellor for a review as to form only and prompt transmittal to the funding agency; provided, however, that in the case of such special funds community boards shall not be considered local educational agencies; and provided further that the total amount of such proposals submitted by any community board shall not exceed the amount of an apportionment made by the chancellor on the basis of a formula determined by the city board, after considering the recommendation of the chancellor and after consultation with community boards and the mayor, which formula reflects the same educational and economic factors as the formula for apportionment of such special funds to the city district; and provided further that each community board shall consult fully with non-public school authorities on a continuing basis with respect to any of such special funds applicable to non-public school programs and students subject to the power and duty of the city board through the chancellor to ensure that applicable provisions of state and federal law and regulations with respect to programs for students in attendance at non-public schools throughout the city district shall be carried out.

15. With respect to special, federal, state and private funds, the chancellor shall provide community boards with information about the availability of such funds and furnish technical assistance with respect to the preparation of proposals, record keeping and the administration of such programs.

16. On or before October first of each year, the city board shall submit to the commissioner, in the form to be prescribed by him, the annual budget for the city district for the current fiscal year.

17. (a) Each community superintendent shall prepare semi-annual reports which shall be due by December fifteenth and April fifteenth of each year. Each report shall include but not be limited to an accounting of all funds received and expended by the subject community board from all sources including appropriations for programs and activities of the school board and receipts from external sources.

(b) In addition, a final year-end report shall be due on August fifteenth and shall include an accounting of all funds received and expended by the subject community board from all sources including appropriations for programs and activities of the school board.

(c) Copies of reports outlined in paragraphs (a) and (b) of this subdivision shall be given to the city board and the subject community board and shall be available to the public.

18. Notwithstanding any provision of law to the contrary, the powers and duties conferred on a community school board by this section shall be exercised exclusively by the community superintendent employed by such board.

* NB Effective June 30, 2028