

ANNUAL BUDGET

The school budget is the legal basis for the establishment of the tax levy. It is the official document that describes the programs to be conducted during a given period of time. It is the operational plan, stated in financial terms, for the conduct of all programs in the school system.

The annual school budget process is important to school district operations and serves as a means to improve communications within the school organization and with the residents of the school community.

The budget will be presented to the public in three components (to be voted upon as one proposition):

1. a program component, which includes all program expenditures of the district, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
2. a capital component, which includes all transportation capital, debt service and lease expenditures; costs resulting from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the district, including facilities lease expenditures, annual debt service and total debt for all facilities financed by bonds and notes of the district, and costs of construction, acquisition, reconstruction, rehabilitation or improvement of the school building, provided that the budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the district, and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repair of school facilities;
3. an administrative component, which includes office and central administrative expenses, traveling expenses, and all compensation, salaries and benefits of all school administrators and supervisors, all expenditures associated with the operation of the school board, the office of the Superintendent, general administration, the school business office, any consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

In addition, each component must be separately delineated in accordance with Regulations of the Commissioner. The budget will categorize revenues, property tax refunds, expenditures, budget transfers and fund balance information, and will be formatted to show changes in the data as compared with the previous year. Finally, the budget will be written in plain language and organized in a manner which best promotes the public's understanding of its contents.

The budget will be completed at least seven days before the public hearing at which the Board will present the budget to the voters. Copies of the budget will be made available upon request to residents within the district (not just district taxpayers) during the 14 days preceding the date of the annual election and budget vote at the school district offices between the hours of

8:00 a.m. and 4:00 p.m. on each day other than Saturday, Sunday or holidays, as well as on the school district's internet website. In addition, at least once during the school year, the Board will include in a district-wide mailing, notice of the availability of copies of the budget.

The following information may be included in the budget:

- a detailed statement of the total compensation to be paid to the Superintendent in the coming school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- a list of all other school administrators and supervisors, if any, whose annual salary will be at or above the amount designated by the State Education Department in the coming year, along with their title and annual salary;
- a school district report card detailing the academic and fiscal performance of the district; and
- a property tax report card prepared pursuant to the Education Law and the Regulations of the Commissioner of Education, including information on the tax levy limit.

If the proposed budget increases the property tax levy by more than either two percent or the rate of inflation (whichever is less), it requires a supermajority of 60 percent in order to pass.

The Board may not submit the proposed budget or a related proposition to the voters more than twice. If the voters fail to approve the proposed budget or budget proposition after the second submission, or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy of 0 percent increase (i.e., less than or equal to the tax levy of the previous year).

The Board may use district monies to present educational and informational material about the annual budget and related information to the voters. It shall not, however, use these funds to urge voters to cast their ballots in a particular fashion.

Ref: Education Law §§1608; 1716; 1804(4); 1906(1); 2008(2); 2021; 2002(1); 2022(2); 2023; 2023-a; 2035(2); 2601-a
General Municipal Law §36
Phillips v. Maurer, 67 NY2d 672 (1986)

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