

BUDGET ADOPTION

Final approval of the tentative budget rests with the Board of Education. The Superintendent of Schools, and such staff members deemed necessary, shall be prepared to explain and justify the budget to the Board. Moreover, pursuant to the election law, final budget authorization shall be subject to a mandatory voter referendum.

The budget vote occurs at the Annual District Meeting and election which shall be held on the third Tuesday in May, unless a religious observance shall fall on the said date. Should a religious observance fall on the third Tuesday in May, the mandatory referendum shall take place on the second Tuesday in May. Prior to the vote, the Board is required to hold a public budget hearing. The hearing must be held not less than seven (7) nor more than fourteen (14) days prior to the vote.

Individuals desiring to submit questions, propositions, or amendments to be placed on the ballot shall conform to the following requirements:

1. New propositions, which must be included in the advertised public notice of the Annual Meeting, shall be filed with the District Clerk on or before the thirtieth (30th) day immediately preceding the annual meeting, and said propositions shall be supported by petitions containing signatures of twenty-five (25) voters or not less than five percent (5%) of the eligible voters who voted in the previous District election. The signature procedure which is greater in number shall be the required process.
2. The proposition shall be stated clearly and concisely and is subject to revision as to length and form by the Board of Education. In addition, the Board may exercise any revision of the proposition when determining its placement in the voting machine.
3. Amendments to propositions are to be filed with the District Clerk no later than fourteen (14) days prior to the Annual Meeting or election and are to be supported by petitions satisfying the requirements set forth above.
4. Any propositions which require the expenditures of monies must include the necessary specific dollar appropriation. The Board may reject any proposition not including the necessary appropriation, any act which is not within the powers of the voters, or any other action which violates a provision of the Education Law, or any other law or regulation.

Rejection of Budget by Voters

In the event that the original proposed budget is not approved through the use of a voter referendum, the Board of Education may adopt a final budget pursuant to the following provisions of this policy:

1. The proposed budget may be resubmitted to the voters for final adoption. However, the school district budget for any school year, or any part of such budget or any propositions involving the expenditure of money for such school year shall not be submitted for a vote of the qualified voters more than twice.

2. If the voters fail to approve the proposed school district budget upon resubmission or upon a determination not to resubmit for a second vote in accordance with this policy, the Board of Education may, after applying the public school monies and other monies received, or monies to be received for said purpose, levy a tax for the sum necessary for teachers' salaries and other ordinary expenses. All expenses not defined as "ordinary expenses" as contained within this policy shall require the approval of the voters through a mandatory referendum. All payments defined as an "ordinary contingent expense" shall not be subject to voter approval.
3. If the voters refuse to or reject the sum necessary for teachers' salaries or ordinary contingent expenses, the Board of Education shall adopt a contingency budget including such expenses and shall levy a tax for the same in the like manner as if the same had been voted by the qualified voters. However, the contingency budget shall not result in a percentage increase in total spending over the District's total spending under the school district budget for the prior school year that exceeds the lesser of the result obtained when one-hundred twenty percent (120%) is multiplied by the percentage increase in the consumer price index, or four percent (4%), or the other provisions enumerated in the Education Law § 2023 (3)-(4).

Reference: Education Law §§1716; 2002; 2022; 2023; 2517; 2518; 2519; 2576
Op. State Comp. 81-401
10 Education Dept. Report 367 (1980)

Revised: November 20, 2001