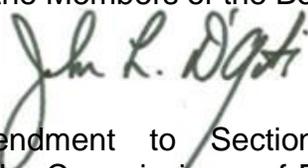




TO: The Honorable the Members of the Board of Regents

FROM: John L. D'Agati 

SUBJECT: Proposed Amendment to Section 80-5.25 of the Regulations of the Commissioner of Education to Expand the Type of Eligible Experiences for the Transitional H Pathway for School District Business Leader Certification

DATE: April 25, 2019

AUTHORIZATION(S):



SUMMARY

Issue for Decision (Consent Agenda)

Should the Board of Regents adopt proposed amendments to Section 80-5.25 of the Regulations of the Commissioner of Education to expand the type of eligible experiences for the Transitional H pathway for School District Business Leader certification?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at the May 2019 meeting of the Board of Regents. A copy of the proposed rule is included as Attachment A.

Procedural History

A Notice of Proposed Rule Making was published in the State Register on January 30, 2019. Following the 60-day public comment period, the Department received one supportive comment on the proposed amendment. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

Background Information

School district business leaders (SDBLs) are important assets to school districts and BOCES, with their duties ranging from day-to-day operations to long-range planning. The New York State Association of School Business Officials (NYSASBO) reached out to the Department in 2017 regarding the need for SDBLs in the near future due to impending retirements. At its January 2018 meeting, the Board of Regents established the Transitional H pathway for individuals who hold a valid license and registration as a New York State Certified Public Accountant, allowing them to be employed for up to three years as an SDBL while they complete the requirements for a Professional SDBL certificate and helping to meet the demand to fill SDBL positions.

The eligibility requirements for the Transitional H certificate include at least three years of experience as a licensed certified public accountant auditing New York State school districts, BOCES, and/or municipalities in New York State, as determined by the Commissioner. The candidate must also have a baccalaureate degree or higher in accounting, finance, or a related business field; receive an employment and support commitment from a school district or BOCES for at least three years, which includes at least one year of mentoring; and matriculate in a registered SDBL program that leads to certification.

NYSASBO has noted that individuals who have experience as a licensed certified public accountant working in the business office of one or more New York State school districts, BOCES, and/or municipalities in New York State would also be excellent candidates for the Transitional H certificate. Experience working in a business office in these settings means engaging in or overseeing work in business areas such as:

- **Fiscal management:** accounting, budget development and monitoring, financial planning, reporting, payroll, purchasing/inventory management.
- **Physical Plant and Facilities Management:** develop multi-year facilities plans; plan and manage construction projects; prepare and implement safety and management plans; oversee real estate acquisition, use, and disposal.
- **Human Resources:** administer employee records and benefits; provide workforce management, including recruiting, screening, hiring, evaluating, and terminating personnel; provide resources and manage staff development and training; support the collective bargaining process; implement legal requirements of policies such as FMLA, ADA, COBRA, and EEOC.
- **Transportation:** develop a district transportation plan and oversee vehicle fleet.
- **School Nutrition:** manage school breakfast/lunch programs.
- **Technology:** manage the purchasing and maintenance of district technology.

The following are examples of possible titles of positions that individuals working in the business office may have: Business Administrator, Business Manager/ Executive, Assistant to the Assistant Superintendent for Business/Finance/Operations, Deputy/ Associate/Assistant Superintendent, Director/Coordinator of Business Affairs/Finance/

Operations, District Treasurer, Payroll Manager/Supervisor, Purchasing Agent/Coordinator, Chief Operating Officer, Fiscal Services Administrator, or Controller.

Proposed Amendment

The Department is proposing to permit candidates who have at least three years of experience as a licensed certified public accountant working in a business office in one or more New York State school districts, BOCES, and/or municipalities in New York State, as determined by the Commissioner to also be eligible for the Transitional H certificate. The proposal expands the types of eligible experiences for the certificate while maintaining high standards for the certification requirements.

Related Regents Items

[October 2017](http://www.regents.nysed.gov/common/regents/files/1017hed1.pdf) <http://www.regents.nysed.gov/common/regents/files/1017hed1.pdf>

[January 2018](http://www.regents.nysed.gov/common/regents/files/118brca1.pdf) <http://www.regents.nysed.gov/common/regents/files/118brca1.pdf>

[January 2019](http://www.regents.nysed.gov/common/regents/files/119hed3.pdf) <http://www.regents.nysed.gov/common/regents/files/119hed3.pdf>

Recommendation

Department staff recommends that the Board of Regents take the following action:

VOTED: That Section 80-5.25 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 22, 2019.

Timetable for Implementation

If adopted at the May 2019 meeting, the proposed amendment will become effective on May 22, 2019.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 305, 3001, 3004 and 3009 of the Education Law.

1. Clause (c) of subparagraph (i) of paragraph (3) of subdivision (a) of section 80-5.25 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(c) The candidate shall have completed at least three years of experience as a licensed certified public accountant who is auditing or working in the business office of one or more New York State school districts, BOCES and/or municipalities in New York State, as determined by the Commissioner;

ASSESSMENT OF PUBLIC COMMENT

Following publication of the Notice of Proposed Rulemaking in the State Register, the Department received the following comment on the proposed amendment:

COMMENT: As the coordinator of a School District Business Leader program, I strongly support the amendment to expand the scope to the Transitional H pathway for the School District Business Leader certification. Individuals who combine: 1) being a licensed CPA; 2) experience in a business office role such as Treasurer, School Business Administrator, etc.; 3) being enrolled in a state-approved SDBL program; and 4) along with appropriate mentoring are well-positioned to function in a role that requires the SDBL certificate. This pathway expands the pool of candidates for positions that require the SDBL, an area that we know is currently lacking an adequate number of well-qualified candidates.

RESPONSE: Since the comment is supportive, no response is necessary.