

By: Representatives Smith, Henley, Dixon

To: Education

HOUSE BILL NO. 1444

1 AN ACT TO CREATE THE FINANCIAL TRANSPARENCY IN EDUCATION ACT;
 2 TO REQUIRE EACH LOCAL EDUCATION PROVIDER IN THE STATE TO CREATE
 3 AND MAINTAIN A SEARCHABLE EXPENDITURE AND REVENUE WEBSITE THAT
 4 INCLUDES DETAILED DATA ON ALL MONIES RECEIVED AND EXPENDED IN THE
 5 LOCAL SCHOOL DISTRICT; TO REQUIRE EACH LOCAL EDUCATION PROVIDER TO
 6 MAINTAIN THE DATA IN AN EASILY ACCESSIBLE, SEARCHABLE AND
 7 DOWNLOADABLE FORMAT, AND TO POST COMPREHENSIVE FIGURES ON TOTAL
 8 EXPENDITURES AND PER-PUPIL SPENDING; TO REQUIRE EACH LOCAL
 9 EDUCATION PROVIDER TO SUBMIT THE SUMMARY DATA TO THE STATE TO BE
 10 AGGREGATED AND MADE AVAILABLE ONLINE; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** The act shall be known and may be cited as the
 13 "Financial Transparency in Education Act."

14 **SECTION 2.** (1) The Legislature finds and declares that:

15 (a) Taxpayers should have easy access to the details of
 16 public school district spending;

17 (b) Easier access to and storage of electronic data
 18 would increase transparency in public school financial matters;
 19 and

20 (c) It is neither difficult nor prohibitively expensive
 21 to make such data available to the public via the Internet.



22 (2) Therefore, it is the intent of the Legislature to direct
23 all local education providers to create and maintain a searchable
24 expenditure and revenue website database detailing financial
25 activities.

26 **SECTION 3.** As used in this act, the following words and
27 phrases have the meanings ascribed in this section unless the
28 context clearly indicates otherwise:

29 (a) "Entity" means a corporation, association, union, limited
30 liability company, limited liability partnership, grantee,
31 contractor, local government, other legal entity, including a
32 nonprofit corporation, or an employee of the local education
33 provider. The term "entity" shall not include an individual
34 recipient of public assistance.

35 (b) "Local education provider" means:

36 (i) A school district organized and existing pursuant
37 to law;

38 (ii) A board of cooperative services or intermediate
39 school district;

40 (iii) A publicly funded agency established by the state
41 for the express purpose of authorizing charter schools; or

42 (iv) A public charter school authorized under Chapter
43 28, Title 37, Mississippi Code of 1972.

44 (c) "Public record" shall have the same meaning as set forth
45 in Section 25-61-3 of the Mississippi Public Records Act of 1983.



46 **SECTION 4.** (1) No later than July 1, 2017, each local
47 education provider shall develop, maintain and make public
48 available, a single, searchable expenditure and revenue website
49 database that allows the public, at no cost, to review information
50 concerning monies received, whether by appropriation, grant,
51 devise or gift, distribution, donation or collection, and expended
52 by the local education provider.

53 (2) (a) For each fiscal year, using budgeted numbers no more
54 than one (1) week following the adoption of the budget for the
55 most recent fiscal year, and actual audited spending figures no
56 more than one (1) week after official figures have been accepted,
57 concerning all expenditures made by the local education provider,
58 the website shall include the following data:

59 (i) A comprehensive total for all monies expended
60 directly by the local education provider and any subsidiary under
61 its direction, as well as all expenditures made on behalf or for
62 the benefit of the local education provider or any subsidiary by
63 any governmental or nongovernmental entity;

64 (ii) A total for all monies expended on adult
65 education programs, not including expenses for GED or other
66 alternative high school equivalency diploma programs;

67 (iii) A total for all monies expended on community
68 services, which are defined as expenditures used exclusively for
69 purposes other than K-12 education;



70 (iv) A total for all monies expended on preschool
71 and early childhood education services, defined as all services
72 provided to children younger than the compulsory school age for
73 enrollment in kindergarten;

74 (v) The name and principal location or address of
75 the entity receiving monies, except that information concerning a
76 payment to an employee of the local education provider shall
77 identify the individual employee by name and business address or
78 location only;

79 (vi) The amount of expended monies;

80 (vii) The funding source(s) of the expended
81 monies;

82 (viii) The date of the expenditure;

83 (ix) The name of the budget program, activity or
84 category supporting the expenditure;

85 (x) A description of the purpose for the
86 expenditure;

87 (xi) An unique identifier for each expenditure on
88 adult education as described in subparagraph (ii) and community
89 services in subparagraph (iii) of this subsection, and for all
90 other expenditures to the extent possible;

91 (xii) Copies of all credit card statements,
92 identified by the department responsible for each credit card; and

93 (xiii) The database shall include and retain both
94 the budgeted and audited actual expenditure figures for each



95 fiscal year and ensure that each set of figures can be identified
96 as budgeted or audited figures.

97 (b) The expenditure data shall be provided in an open
98 structured data format that:

99 (i) May be downloaded by the user; and

100 (ii) Allows the user to systematically sort,
101 search and access all data.

102 (c) The website shall contain only information that is
103 a public record or that is not confidential or otherwise protected
104 from public disclosure pursuant to state or federal law.

105 (3) The local education provider shall:

106 (a) Update the financial data contained on the website
107 at least monthly;

108 (b) Archive the financial data, which shall remain
109 accessible and searchable on the website;

110 (c) Post total expenditures as defined in subsection
111 (2)(a)(i), (ii), (iii) and (iv) on the home page of the local
112 education provider's website no more than one (1) week after the
113 official budget is adopted for the most recent fiscal year and no
114 more than one (1) week after the final audited and actual
115 expenditure figures are produced. In the same section of the
116 website, the local education provider shall post both the
117 estimated and the audited actual average daily attendance figures
118 for Grades K-12 for the most recent fiscal year budget and for
119 pre-K, if applicable;



120 (d) Post the per-pupil spending figures using both the
121 budgeted and audited figures described in subsection (2)(a)(i),
122 (ii), (iii) and (iv), as derived from the following formula:
123 Total expenditures minus adult education expenditures minus
124 community services expenditures minus preschool services in those
125 districts providing such services divided by the districts K-12
126 average daily attendance;

127 (e) Design the website to be easily accessible from the
128 homepage of the local education provider's website; and

129 (f) Create and make accessible an automated Rich Site
130 Summary (RSS) feed, also referred to as Really Simple Syndication,
131 to which users of the website's database may subscribe for
132 notification of updates to the website's database.

133 **SECTION 5.** This act shall take effect and be in force from
134 and after July 1, 2016.

