

(H. B. 476)

(No. 77)

(Approved April 12, 2006)

AN ACT

To amend Section 4.08 of Act No. 149 of July 15, 1999, as amended, known as the “Organic Act for the Department of Education of Puerto Rico,” in order to require that all members of the School Council to take and approve a public finances operation seminar to be designed and administered by the Office of the Comptroller of Puerto Rico.

STATEMENT OF MOTIVES

The Constitution of Puerto Rico consecrates the right of every person to an education and directs the Government to maintain a free-access and non-sectarian public education system, free elementary and secondary schools with complementary services for enrollment, and with study programs that propitiate the full development of the personality of the student and the strengthening of the rights and fundamental liberties of human beings.

The Organic Act for the Department of Education of Puerto Rico was created within this constitutional framework. Community Schools are a study community integrated by its students, teaching and classified personnel, students’ parents, and the population to which they serve. They have teaching, administrative, and fiscal autonomy.

Section 2.19 of Act No. 149, *supra*, provides that every school of the public education system shall have a School Council. Section 2.21 of the above Act grants a series of functions that require basic knowledge of public finances operations to School Councils, to wit: to authorize disbursement of

school funds, to evaluate the reports of the Director regarding the administration of the school budget, and to receive and evaluate the budget proposal prepared by the School Director before remitting the same to the Department.

In view of the nature of these functions, the Legislature of Puerto Rico deems it essential that the members of School Councils be trained and qualified by the Office of the Comptroller in order to belong to said Boards and thus promote preventive and educational measures directed to avoiding future problems that attempt against the wellbeing of the school community.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 4.08 of Act No. 149 of July 15, 1999, as amended, known as the “Organic Act for the Department of Education of Puerto Rico,” is hereby amended to read as follows:

“Section 4.08.- Continuing Education.-

The Secretary shall establish continuing education programs for the teaching and non-teaching personnel of the Department.

In the case of all members of the School Council, who are appointed after the approval of this Act, it shall be a previous requirement to take and approve a course on public finances operation to be designed and administered by the Office of the Comptroller of Puerto Rico. Provided, that the Office of the Comptroller and the Secretary shall establish the necessary administrative norms to comply with said requirement and, in addition, shall offer said course to the present members of the School Council. The course prepared by the Comptroller of Puerto Rico shall be offered in the teaching institution upon previous consultation with the School Director.”

Section 2.- This Act shall take effect immediately after its approval; however, for the purposes of the creation of the course, the approval of the

pertinent administrative norms and the requirement to take and approve the course provided in Section 1 of this Act, it shall take effect as of July 1, 2006.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 77 (H.B. 476) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 4.08 of Act No. 149 of July 15, 1999, as amended, known as the “Organic Act for the Department of Education of Puerto Rico,” in order to require that all members of the School Council to take and approve a public finances operation seminar to be designed and administered by the Office of the Comptroller of Puerto Rico,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 1st of September of 2006.

Francisco J. Domenech
Director