



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 7

April 12, 1994

Special Counsel to the Mayor for the Fiscal Oversight of Education

WHEREAS, City Charter § 106(c) provides that "[t]he mayor shall keep informed, during the course of each fiscal year, of the progress of expenditures and the receipt of revenues, and it shall be the duty of all agencies, when requested by the mayor, to supply all information needed for this purpose", and this section of the Charter applies to the fiscal and budgetary administration of the Board of Education; and

WHEREAS, City Charter § 803(a) authorizes the Mayor to direct the Commissioner of the Department of Investigation to make any investigation, and subdivision (b) of that section authorizes the Commissioner of the Department of Investigation to ". . . make any study or investigation which in his opinion may be in the best interests of the city, including

but not limited to investigations of the affairs, functions, accounts, methods, personnel or efficiency of any agency", and the exercise of these powers by the Commissioner of the Department of Investigation applies to the Board of Education; and

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Special Counsel to the Mayor for the Fiscal Oversight of Education.

There is hereby created the position of Special Counsel to the Mayor for the Fiscal Oversight of Education (hereafter "Special Counsel"), whose duty it shall be to oversee the budgetary procedures and finances of the Board of Education of the City of New York and of the overall City School District of the City of New York. The Special Counsel shall be a Special Deputy Commissioner of the Department of Investigation, and shall receive no compensation, other than reimbursement for actual and necessary expenses incurred in carrying out the duties of the position.

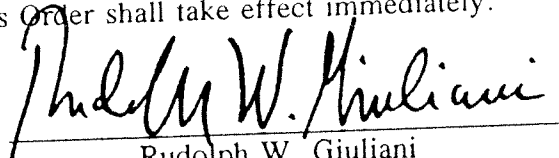
Section 2. Powers and Duties. (a) The Special Counsel shall issue periodic reports to the Mayor on the budgetary procedures and finances of the Board of Education of the City of New York and of the overall City School District of the City of New York, including an accurate accounting of the allocation of resources and personnel of the City School District of the City of New York.

(b) In carrying out his or her duties, the Special Counsel shall obtain from the City School District of the City of New York, including the Board of Education, the Chancellor, the Community School Boards, the Community Superintendent, and any other officer or employee of the school district, all information and data, including computer records, necessary to prepare the reports provided for in subdivision (a) of this section. The Special Counsel is authorized to consult with and obtain the assistance of foundations, graduate schools of education and other knowledgeable persons or entities in exercising his or her functions, and may retain independent consultants to provide assistance in the performance of his or her duties.

(c) In the exercise of the duties set forth herein, the Special Counsel shall review and analyze the relevant records, information, data bases, reports, plans, projections and any other relevant materials of the City School District of the City of New York.

(d) The Department of Investigation, the Office of Management and Budget and other Mayoral agencies shall provide to the Special Counsel such personnel, facilities and other assistance necessary to enable the Special Counsel to carry out his or her responsibilities.

Section 3. Effective Date. This Order shall take effect immediately.



Rudolph W. Giuliani
Mayor