

## **Financial Information Reporting for English as a Second Language (ESL) Schools**

Commissioner's Regulation 126.10(j) requires that for-profit ESL schools submit an audited statement of revenue where gross tuition income is \$500,000 or more in a school fiscal year; or an unaudited reviewed statement of revenue if gross tuition is less than \$500,000 in a school fiscal year, provided that a school shall file an audited statement of revenue the fiscal year after an unaudited reviewed statement of revenue is submitted. All statements of revenue must be prepared in accordance with generally accepted accounting principles.

Upon a determination by the Commissioner that a school has submitted false or inaccurate statements, or that a significant, unsubstantiated decline in gross tuition has occurred, the Commissioner may require a school to file an audited statement of revenue even during alternate years when unaudited reviewed statements would ordinarily be allowed. The assessments shall be based upon each school's gross tuition from the previous year, and shall be payable in equal installments which shall be due on June 1st, September 1st, December 1st and March 1st.

For ESL schools in operation in the year prior to the issuance of certification by the Bureau of Proprietary School Supervision, such annual assessments shall begin in their initial year of certification. For new ESL schools, the Commissioner shall base the assessments on the annualized gross tuition of the school computed by the New York State Education Department from financial reports from the school, as required by the Department, and the assessments shall be prorated based upon the number of quarters that the school has operated in the assessment year.