

4653

2011-2012 Regular Sessions

I N   S E N A T E

April 14, 2011

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Introduced by Sen. ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to capping the level of expenditures by school districts for central administration and authorizing school districts and boards of cooperative educational services to enter into agreements or contracts with each other to perform the same functions and provide the same services that each is authorized to perform or provide

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 2 of the education law is amended by adding a new  
2     subdivision 25 to read as follow:  
3     25. CENTRAL ADMINISTRATION SERVICES. THE TERM "CENTRAL ADMINISTRATION  
4     SERVICES" MEANS CENTRAL ADMINISTRATION SERVICES PROVIDED BY A COMMON,  
5     UNION FREE, CENTRAL SCHOOL DISTRICT, OR CENTRAL HIGH SCHOOL DISTRICT  
6     INCLUDING EXPENDITURES FOR THE CHIEF SCHOOL OFFICER, THE BUSINESS  
7     OFFICE, THE PURCHASING OFFICE, THE PERSONNEL OFFICE, THE RECORDS MANAGE-  
8     MENT OFFICE, PUBLIC INFORMATION AND SERVICES, FEES FOR FISCAL AGENTS,  
9     THE DISTRICT CLERK'S OFFICE, THE DISTRICT MEETING, AUDITING SERVICES,  
10    THE TREASURER'S OFFICE, THE TAX COLLECTOR'S OFFICE, LEGAL SERVICES, THE  
11    SCHOOL CENSUS, AND INDIRECT COSTS AND OTHER UNCLASSIFIED EXPENDITURES.  
12    S 2. The education law is amended by adding a new section 1510-a to  
13    read as follows:  
14    S 1510-A. CENTRAL ADMINISTRATIVE SERVICES. 1. NO COMMON, UNION FREE,  
15    CENTRAL SCHOOL DISTRICT, OR CENTRAL HIGH SCHOOL DISTRICT WITH AN ENROLL-  
16    MENT OF ONE THOUSAND STUDENTS OR MORE SHALL EXPEND MORE THAN TWO PERCENT  
17    OF ITS TOTAL BUDGET FOR CENTRAL ADMINISTRATIVE SERVICES IN ANY FISCAL  
18    YEAR. IN COMMON, UNION FREE, CENTRAL SCHOOL OR CENTRAL HIGH SCHOOL  
19    DISTRICTS WITH AN ENROLLMENT OF LESS THAN ONE THOUSAND STUDENTS, THE  
20    EXPENDITURES FOR CENTRAL ADMINISTRATIVE SERVICES SHALL NOT EXCEED THREE  
21    PERCENT.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD10662-01-1

1 2. ANY SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
2 MAY ENTER INTO AN AGREEMENT WITH ANY OTHER SCHOOL DISTRICT OR BOARD OF  
3 COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRA-  
4 TIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT  
5 EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

6 S 3. Section 1604 of the education law is amended by adding a new  
7 subdivision 43 to read as follows:

8 43. TO AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD OF COOPER-  
9 ATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRATIVE  
10 SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT EACH  
11 IS AUTHORIZED TO PERFORM OR PROVIDE.

12 S 4. Section 1709 of the education law is amended by adding a new  
13 subdivision 43 to read as follows:

14 43. TO AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD OF COOPER-  
15 ATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRATIVE  
16 SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT EACH  
17 IS AUTHORIZED TO PERFORM OR PROVIDE.

18 S 5. Section 1804 of the education law is amended by adding a new  
19 subdivision 13 to read as follows:

20 13. THE BOARD MAY AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD  
21 OF COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINIS-  
22 TRATIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES  
23 THAT EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

24 S 6. Section 1903 of the education law is amended by adding a new  
25 subdivision 3 to read as follows:

26 3. THE BOARD MAY AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD  
27 OF COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINIS-  
28 TRATIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES  
29 THAT EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

30 S 7. Subparagraph 1 of paragraph d of subdivision 4 of section 1950 of  
31 the education law, as amended by chapter 474 of the laws of 1996, is  
32 amended to read as follows:

33 (1) Aidable shared services. At the request of [component school  
34 districts] ANY DISTRICT, and with the approval of the commissioner,  
35 provide any of the following services on a cooperative basis: CENTRAL  
36 ADMINISTRATION, school nurse teacher, attendance supervisor, supervisor  
37 of teachers, dental hygienist, psychologist, teachers of art, music,  
38 physical education, career education subjects, guidance [counsellors]  
39 COUNSELORS, operation of special classes for students with disabilities,  
40 as such term is defined in article eighty-nine of this chapter; pupil  
41 and financial accounting service by means of mechanical equipment; main-  
42 tenance and operation of cafeteria or restaurant service for the use of  
43 pupils and teachers while at school, and such other services as the  
44 commissioner may approve. Such cafeteria or restaurant service may be  
45 used by the community for school related functions and activities and to  
46 furnish meals to the elderly residents of the district, sixty years of  
47 age or older. Utilization by elderly residents or school related groups  
48 shall be subject to the approval of the board of education. Charges  
49 shall be sufficient to bear the direct cost of preparation and serving  
50 of such meals, exclusive of any other available reimbursements.

51 S 8. This act shall take effect immediately.