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I N   S E N A T E

April 30, 2012

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Introduced by Sen. FLANAGAN -- 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 services to out-of-state school districts by boards of cooperative educational services

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

- 1     Section 1. Paragraph h of subdivision 4 of section 1950 of the education law is amended by adding a new subparagraph 10 to read as follows:  
2     (10) TO ENTER INTO CONTRACTS WITH OUT-OF-STATE SCHOOL DISTRICTS, WITH  
3     THE APPROVAL OF THE DISTRICT SUPERINTENDENT OF SCHOOLS, TO PROVIDE  
4     SERVICES MADE AVAILABLE TO ANY SCHOOL DISTRICT WITHIN THE SUPERVISORY  
5     DISTRICT UPON SUCH TERMS AS DETERMINED BY THE COMMISSIONER IN RULES AND  
6     REGULATIONS AND AS AGREED UPON PURSUANT TO CONTRACTS EXECUTED BY SUCH  
7     BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND THE TRUSTEES OR BOARDS OF  
8     EDUCATION OF SUCH OUT-OF-STATE SCHOOL DISTRICTS. NO LATER THAN JUNE  
9     THIRTIETH OF EACH YEAR, EACH BOARD OF COOPERATIVE EDUCATIONAL SERVICES  
10    WHICH PROVIDES SERVICES TO OUT-OF-STATE SCHOOL DISTRICTS SHALL REPORT  
11    THE AMOUNT AND NATURE OF SUCH SERVICES TO THE COMMISSIONER.  
12    S 2. Subparagraph 2 of paragraph d of subdivision 4 of section 1950 of  
13    the education law, as added by chapter 474 of the laws of 1996, is  
14    amended to read as follows:  
15    (2) Certain services prohibited. Commencing with the nineteen hundred  
16    ninety-seven--ninety-eight school year, the commissioner shall not be  
17    authorized to approve as an aidable shared service pursuant to this  
18    subdivision any cooperative maintenance services or municipal services,  
19    including but not limited to, lawn mowing services and heating, venti-  
20    lation or air conditioning repair or maintenance or trash collection, or  
21    any other municipal services as defined by the commissioner. On and  
22    after the effective date of this paragraph, the commissioner shall not  
23    approve, as an aidable shared service, any new cooperative maintenance  
24    or municipal services for the nineteen hundred ninety-six--ninety-seven  
25    school year, provided that the commissioner may approve the continuation  
26    of such services for one year if provided in the nineteen hundred nine-  
27    ty-five--ninety-six school year. NO SERVICE PROVIDED TO AN OUT-OF-STATE  
28    SCHOOL DISTRICT PURSUANT TO SUBPARAGRAPH TEN OF PARAGRAPH H OF THIS  
29    SUBDIVISION SHALL BE ELIGIBLE FOR AID.  
30    S 3. This act shall take effect immediately.  
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EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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