

STATE OF NEW YORK

6336

2019-2020 Regular Sessions

IN ASSEMBLY

March 6, 2019

Introduced by M. of A. JAFFEE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to certain contracts with out-of-state school districts

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph 10 of paragraph h of subdivision 4 of section
2 1950 of the education law, as amended by chapter 28 of the laws of 2014,
3 is amended to read as follows:

4 (10) To enter into contracts [~~of no more than five years and subject~~
5 ~~to the sunset date of this subparagraph,~~] with out-of-state school
6 districts for special education and/or career and technical education
7 services or for the use of existing products that demonstrate how to map
8 the common core standards to assessments and/or provide access to exist-
9 ing webinars or online courses relating to implementation of the common
10 core standards and/or for providing professional development to educa-
11 tors; and existing technology products, including computer programs and
12 software packages that help students learn and assist districts in
13 achieving greater efficiencies. For purposes of this article, an out-of-
14 state public school shall mean an elementary or secondary school or an
15 institution of higher education, located outside of New York state
16 including but not limited to those located outside the continental
17 United States. Any contract shall be approved by the commissioner, the
18 board of cooperative educational services and the district superinten-
19 dent of schools, provided such services are made available to any school
20 district within the supervisory district and that the requirements of
21 this subparagraph are met. Contracts must be executed by the board of
22 cooperative educational services and the trustees or boards of education
23 of such out-of-state school districts and shall only authorize out-of-
24 state students to participate in an instructional program if such
25 services are available to all eligible students in New York state

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

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1 schools in the component districts and the number of participating out-
2 of-state students only comprises up to five percent of the total number
3 of the total enrolled students in the instructional program at the board
4 of cooperative educational services and that the board of cooperative
5 educational services spends no more than thirty percent of its employ-
6 ees' time on services to out-of-state districts pursuant to this subpar-
7 agraph. To be approved by the commissioner, the contract and any busi-
8 ness plan, shall demonstrate that any services provided to out-of-state
9 schools pursuant to this subparagraph shall not result in any additional
10 costs being imposed on component school districts and that any payments
11 received by the board of cooperative educational services for services
12 provided in this subparagraph that exceed any cost to the board of coop-
13 erative educational services for providing such services shall be
14 applied to reduce the costs of aidable shared services allocated to
15 component school districts pursuant to paragraph d of this subdivision
16 and shall also be applied to reduce the approved cost of services pursu-
17 ant to subdivision five of this section. Services provided by a board of
18 cooperative educational services to component districts at the time of
19 approval of a contract under this paragraph shall not be reduced or
20 eliminated solely due to a board of cooperative educational services'
21 performance of services to out-of-state districts pursuant to this para-
22 graph.

23 § 2. This act shall take effect immediately; provided, however, that
24 the amendments to subparagraph 10 of paragraph h of subdivision 4 of
25 section 1950 of the education law made by section one of this act shall
26 not affect the repeal of such subparagraph and shall be deemed to repeal
27 therewith.