S T A T E O F N E W Y O R K

1681

2009-2010 Regular Sessions

I N S E N A T E

February 4, 2009

Introduced by Sens. FLANAGAN, BONACIC, DeFRANCISCO, FUSCHILLO, LITTLE, MORAHAN, VOLKER -- 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 third party contracting for technology services as aidable shared services and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subdivision 4 of section 1950 of the education law is amended by adding a new paragraph oo to read as follows:

OO. TO CONTRACT WITH THIRD PARTY VENDORS FOR APPROVED TECHNOLOGY ACTIVITIES AND SERVICES AT THE REQUEST OF TWO OR MORE SCHOOL DISTRICTS, IN CONJUNCTION WITH A CONTRACT FOR THE PURCHASE OF TECHNOLOGY EQUIPMENT PURSUANT TO PARAGRAPH JJ OF THIS SUBDIVISION OR ANY OTHER SHARED SERVICE AUTHORIZED UNDER THIS SUBDIVISION. THE COMMISSIONER MAY APPROVE SUCH TECHNOLOGY ACTIVITIES AND SERVICES AS AIDABLE SHARED SERVICES, PROVIDED THAT THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES DEMONSTRATES THAT SUCH ACTIVITIES AND SERVICES REQUIRED CANNOT BE SUPPLIED THROUGH FULL-TIME EMPLOYEES OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES DUE TO INSUFFICIENT QUALIFIED STAFF OR LACK OF REQUIRED SPECIAL SKILLS OR EXPERTISE.

S 2. Subdivision 5 of section 1950 of the education law is amended by adding a new paragraph i to read as follows:

I. FOR THE PURPOSES OF COMPUTING THE APPORTIONMENT PURSUANT TO THIS SUBDIVISION, THE AIDABLE COST OF SERVICES FOR APPROVED TECHNOLOGY SERVICES PROVIDED THROUGH CONTRACTUAL AGREEMENT BETWEEN A BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND A THIRD PARTY VENDOR PURSUANT TO PARAGRAPH OO OF SUBDIVISION FOUR OF THIS SECTION, EXCLUSIVE OF ANY COSTS FOR THE PURCHASE OF TECHNOLOGY EQUIPMENT OR SUPPLIES, SHALL EQUAL THE PRODUCT OF SUCH COSTS ALLOCATED TO EACH COMPONENT SCHOOL DISTRICT BY SUCH BOARD OF COOPERATIVE EDUCATIONAL SERVICES MULTIPLIED BY THE QUOTIENT OF

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

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THE TOTAL AMOUNT ALLOCATED TO ALL COMPONENT SCHOOL DISTRICTS FOR THE COST OF ALL OTHER AIDABLE SHARED SERVICES, EXCLUDING THAT PART OF THE SALARY PAID ANY TEACHER, SUPERVISOR OR OTHER EMPLOYEE OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES WHICH IS IN EXCESS OF THIRTY THOUSAND DOLLARS, DIVIDED BY THE TOTAL AMOUNT ALLOCATED TO ALL COMPONENT SCHOOL DISTRICTS FOR THE COST OF ALL SUCH OTHER AIDABLE SHARED SERVICES, INCLUDING THAT PART OF THE SALARY PAID ANY TEACHER, SUPERVISOR OR OTHER EMPLOYEE OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES WHICH IS IN EXCESS OF THIRTY THOUSAND DOLLARS.

S 3. This act shall take effect July 1, 2010, provided that the provisions of this act shall expire and be deemed repealed July 1, 2012.