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

4653

2011-2012 Regular Sessions

I N  S E N A T E

April 14, 2011

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:

Section 1. Section 2 of the education law is amended by adding a new subdivision 25 to read as follow:

25. CENTRAL ADMINISTRATION SERVICES. THE TERM "CENTRAL ADMINISTRATION SERVICES" MEANS CENTRAL ADMINISTRATION SERVICES PROVIDED BY A COMMON, UNION FREE, CENTRAL SCHOOL DISTRICT, OR CENTRAL HIGH SCHOOL DISTRICT INCLUDING EXPENDITURES FOR THE CHIEF SCHOOL OFFICER, THE BUSINESS OFFICE, THE PURCHASING OFFICE, THE PERSONNEL OFFICE, THE RECORDS MANAGEMENT OFFICE, PUBLIC INFORMATION AND SERVICES, FEES FOR FISCAL AGENTS, THE DISTRICT CLERK'S OFFICE, THE DISTRICT MEETING, AUDITING SERVICES, THE TREASURER'S OFFICE, THE TAX COLLECTOR'S OFFICE, LEGAL SERVICES, THE SCHOOL CENSUS, AND INDIRECT COSTS AND OTHER UNCLASSIFIED EXPENDITURES.

S 2. The education law is amended by adding a new section 1510-a to read as follows:

S 1510-A. CENTRAL ADMINISTRATIVE SERVICES. 1. NO COMMON, UNION FREE, CENTRAL SCHOOL DISTRICT, OR CENTRAL HIGH SCHOOL DISTRICT WITH AN ENROLLMENT OF ONE THOUSAND STUDENTS OR MORE SHALL EXPEND MORE THAN TWO PERCENT OF ITS TOTAL BUDGET FOR CENTRAL ADMINISTRATIVE SERVICES IN ANY FISCAL YEAR. IN COMMON, UNION FREE, CENTRAL SCHOOL OR CENTRAL HIGH SCHOOL DISTRICTS WITH AN ENROLLMENT OF LESS THAN ONE THOUSAND STUDENTS, THE EXPENDITURES FOR CENTRAL ADMINISTRATIVE SERVICES SHALL NOT EXCEED THREE PERCENT.

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

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

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

43. TO AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRATIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

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

43. TO AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRATIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

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

13. THE BOARD MAY AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRATIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

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

3. THE BOARD MAY AGREE OR CONTRACT WITH ANY SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO PERFORM THE SAME CENTRAL ADMINISTRATIVE SERVICES AND PROVIDE THE SAME CENTRAL ADMINISTRATIVE SERVICES THAT EACH IS AUTHORIZED TO PERFORM OR PROVIDE.

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

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

S 8. This act shall take effect immediately.