

9062--A

I N A S S E M B L Y

March 12, 2014

Introduced by M. of A. NOLAN, BUCHWALD, GALEF, JAFFEE, LIFTON, LUPARDO, OTIS, PAULIN, SCHIMEL, ZEBROWSKI, ABINANTI, SKOUFIS -- read once and referred to the Committee on Education -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to providing for the professional development to educators; and to amend chapter 396 of the laws of 2012 amending the education law, relating to services to out-of-state school districts by boards of cooperative educational services, in relation to extending the provisions thereof

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 added by chapter 396 of the laws of 2012,
3 is amended to read as follows:
4 (10) To enter into contracts of no more than [two] FIVE years and
5 subject to the sunset date of this subparagraph, with out-of-state
6 school districts for special education and/or career and technical
7 education services or for the use of existing products that demonstrate
8 how to map the common core standards to assessments and/or provide
9 access to existing webinars or online courses relating to implementation
10 of the common core standards AND/OR FOR PROVIDING PROFESSIONAL DEVELOP-
11 MENT TO EDUCATORS. Any contract shall be approved by the commissioner,
12 the board of cooperative educational services and the district super-
13 intendent of schools, provided such services are made available to any
14 school district within the supervisory district and that the require-
15 ments of this subparagraph are met. Contracts must be executed by the
16 board of cooperative educational services and the trustees or boards of
17 education of such out-of-state school districts and shall only authorize
18 out-of-state students to participate in an instructional program if such
19 services are available to all eligible students in New York state
20 schools in the component districts and the number of participating out-
21 of-state students only comprises up to five percent of the total number
22 of the total enrolled students in the instructional program at the board

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

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

20 S 2. Section 4 of chapter 396 of the laws of 2012, amending the educa-
21 tion law, relating to services to out-of-state school districts by
22 boards of cooperative educational services, is amended to read as
23 follows:

24 S 4. This act shall take effect immediately and shall expire and be
25 deemed repealed July 1, [2014] 2019.

26 S 3. Section 3 of chapter 396 of the laws of 2012, amending the
27 education law, relating to services to out-of-state school districts by
28 boards of cooperative educational services, is amended to read as
29 follows:

30 S 3. The commissioner of education, in consultation with participating
31 boards of cooperative educational services, shall prepare two reports
32 describing the content of contracts approved by such commissioner and
33 the district superintendent pursuant to paragraph h of subdivision 4 of
34 section 1950 of the education law, including the names of the parties to
35 the contract, the length of the contract, a description of the services
36 provided under the contract, the percentage of out-of-state students
37 that are in each instructional program in the board of cooperative
38 educational services compared to in-state students, a description of the
39 time spent by board of cooperative educational services employees to
40 perform such services and any expenses and revenues for performing
41 services to out-of-state districts under the contract. The reports shall
42 also include a detailed breakdown of how many additional employees need-
43 ed to be hired by the board of cooperative educational services to
44 perform such services, any additional resources or materials that needed
45 to be purchased by the board of cooperative educational services and/or
46 any administrative, marketing and/or development costs associated with
47 performing services under paragraph d of subdivision 4 of section 1950
48 of the education law. If payments received for such services exceed the
49 costs of providing such services, the reports shall also include a
50 description of how the board of cooperative educational services will
51 reduce the costs of aidable shared services to the component districts
52 pursuant to paragraph d of subdivision 4 of section 1950 of the educa-
53 tion law and/or how any revenues received by the board of cooperative
54 educational services will reduce the costs of aidable shared services.
55 The commissioner of education shall submit an interim report to the
56 board of regents, the governor and the legislature by no later than

1 April 15, [2013] 2018 and a final report by no later than December 15,
2 [2013] 2018, with recommendations on whether and under what conditions
3 such contracts should continue to be authorized beyond the expiration
4 date provided herein.
5 S 4. This act shall take effect immediately, provided, however, that
6 the amendments to subparagraph 10 of paragraph h of subdivision 4 of
7 section 1950 of the education law made by section one of this act and
8 the amendments to section 3 of chapter 396 of the laws of 2012 made by
9 section three of this act shall not affect the repeal of such provisions
10 and shall be deemed repealed therewith.