

S T A T E   O F   N E W   Y O R K

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9062--A

I N   A S S E M B L Y

March 12, 2014

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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.