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I N A S S E M B L Y

June 6, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Nolan) --
read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the salaries of
certain teachers and aids employed by boards of cooperative educa-
tional services

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

1 Section 1. Paragraph b of subdivision 5 of section 1950 of the educa-
2 tion law, as amended by section 80-a of part A of chapter 58 of the laws
3 of 2011, is amended to read as follows:
4 b. The cost of services herein referred to shall be the amount allo-
5 cated to each component school district by the board of cooperative
6 educational services to defray expenses of such board, except that that
7 part of the salary paid any teacher, supervisor or other employee of the
8 board of cooperative educational services which is in excess of thirty
9 thousand dollars shall not be such an approved expense, and except also
10 that administrative and clerical expenses shall not exceed ten percent
11 of the total expenses for purposes of this computation. PROVIDED, HOWEV-
12 ER, BEGINNING WITH EXPENSES INCURRED IN THE TWO THOUSAND FOURTEEN-TWO
13 THOUSAND FIFTEEN SCHOOL YEAR AND THEREAFTER, THAT PART OF THE SALARY
14 PAID TO ANY TEACHER, SUPERVISOR OR OTHER EMPLOYEE OF A BOARD OF COOPER-
15 ATIVE EDUCATIONAL SERVICES WHICH IS IN EXCESS OF THE LESSER OF THE ACTU-
16 AL SALARY OR THE AVERAGE STATEWIDE SALARY FOR SUCH TEACHING, SUPERVISO-
17 RY, OR OTHER POSITION AS ESTABLISHED BY THE COMMISSIONER SHALL NOT BE AN
18 APPROVED EXPENSE, AND FURTHER PROVIDED THAT ADMINISTRATIVE AND CLERICAL
19 EXPENSES SHALL NOT EXCEED TEN PERCENT OF THE TOTAL EXPENSES FOR PURPOSES
20 OF THIS COMPUTATION. Any gifts, donations or interest earned by the
21 board of cooperative educational services or on behalf of the board of
22 cooperative educational services by the dormitory authority or any other
23 source shall not be deducted in determining the cost of services allo-
24 cated to each component school district. Any payments made to a compo-
25 nent school district by the board of cooperative educational services
26 pursuant to subdivision eleven of section six-p of the general municipal
27 law attributable to an approved cost of service computed pursuant to

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

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1 this subdivision shall be deducted from the cost of services allocated
2 to such component school district. The expense of transportation
3 provided by the board of cooperative educational services pursuant to
4 paragraph q of subdivision four of this section shall be eligible for
5 aid apportioned pursuant to subdivision seven of section thirty-six
6 hundred two of this chapter and no board of cooperative educational
7 services transportation expense shall be an approved cost of services
8 for the computation of aid under this subdivision. Transportation
9 expense pursuant to paragraph q of subdivision four of this section
10 shall be included in the computation of the ten percent limitation on
11 administrative and clerical expenses.

12 S 2. Paragraph b of subdivision 10 of section 3602 of the education
13 law, as amended by section 16 of part B of chapter 57 of the laws of
14 2007, is amended to read as follows:

15 b. Aid for career education. There shall be apportioned to such city
16 school districts and other school districts which were not components of
17 a board of cooperative educational services in the base year for pupils
18 in grades ten through twelve in attendance in career education programs
19 as such programs are defined by the commissioner, subject for the
20 purposes of this paragraph to the approval of the director of the budg-
21 et, an amount for each such pupil to be computed by multiplying the
22 career education aid ratio by [three thousand nine hundred dollars] THE
23 DISTRICT'S SELECTED FOUNDATION AID AS DETERMINED PURSUANT TO SUBDIVISION
24 FOUR OF THIS SECTION. Such aid will be payable for weighted pupils
25 attending career education programs operated by the school district and
26 for weighted pupils for whom such school district contracts with boards
27 of cooperative educational services to attend career education programs
28 operated by a board of cooperative educational services. Weighted pupils
29 for the purposes of this paragraph shall mean the sum of the attendance
30 of students in grades ten through twelve in career education sequences
31 in trade, industrial, technical, agricultural or health programs plus
32 the product of sixteen hundredths multiplied by the attendance of
33 students in grades ten through twelve in career education sequences in
34 business and marketing as defined by the commissioner in regulations.
35 The career education aid ratio shall be computed by subtracting from one
36 the product obtained by multiplying fifty-nine percent by the combined
37 wealth ratio. This aid ratio shall be expressed as a decimal carried to
38 three places without rounding, but not less than thirty-six percent.

39 Any school district that receives aid pursuant to this paragraph shall
40 be required to use such amount to support career education programs in
41 the current year.

42 A board of education which spends less than its local funds as defined
43 by regulations of the commissioner for career education in the base year
44 during the current year shall have its apportionment under this subdivi-
45 sion reduced in an amount equal to such deficiency in the current or a
46 succeeding school year, provided however that the commissioner may waive
47 such reduction upon determination that overall expenditures per pupil in
48 support of career education programs were continued at a level equal to
49 or greater than the level of such overall expenditures per pupil in the
50 preceding school year.

51 S 3. This act shall take effect immediately and shall apply to the
52 calculation of BOCES aid and aid for career education payable in the
53 2015-16 school year and years thereafter.