

3885--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 28, 2015

---

Introduced by M. of A. NOLAN, JAFFEE, LUPARDO, BRONSON -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the salaries of certain teachers and aides employed by boards of cooperative educational services

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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 SIXTEEN-TWO  
13    THOUSAND SEVENTEEN 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-

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

LBD07766-03-6

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

15 S 2. Paragraph b of subdivision 10 of section 3602 of the education  
16 law, as amended by section 16 of part B of chapter 57 of the laws of  
17 2007, is amended to read as follows:

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

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

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

54 S 3. This act shall take effect immediately and shall apply to the  
55 calculation of BOCES aid and aid for career education payable in the  
56 2017-2018 school year and years thereafter.