

S. 4442

A. 6347

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

March 20, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Education

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the establishment of regional secondary schools

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

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that given the current fiscal climate in this state, many
3 school districts, particularly small districts, are threatened by a
4 decline in educational opportunities and programs for their students.
5 School districts are seeking new models of delivering services to
6 students that are more cost-effective and efficient, in order to sustain
7 or enhance the quality of services and to maintain or expand the scope
8 of services offered to students. The legislature recognizes that many
9 high schools in the state are experiencing financial limitations that
10 may impair their ability to offer students the same range or quality of
11 courses that other high schools may provide. In order to ensure that
12 these districts continue to offer their students advanced course work,
13 districts should be afforded the opportunity to establish a regional
14 secondary school. Under this new model of delivering services, districts
15 will be able to streamline programs and services, increase resources,
16 and increase their purchasing power through shared services. These
17 resultant cost savings will allow money to flow into educational
18 programs and services for students which will, in turn, help to improve
19 student performance and meet college and career readiness.
20 This legislation would establish a pilot program authorizing the
21 establishment of regional secondary schools in any county with a popu-
22 lation in excess of one million four hundred thousand inhabitants

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

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1 according to the 2010 decennial census, excluding counties located with-
2 in a city with a population of one million inhabitants or more. This
3 pilot program will help to determine the efficacy of the regional
4 secondary schools in providing greater educational opportunities for
5 less cost. If this pilot program of regional secondary schools is
6 successful, the concept could then be expanded statewide.

7 S 2. The education law is amended by adding a new article 39-A to read
8 as follows:

9 ARTICLE 39-A
10 REGIONAL SECONDARY SCHOOLS

11 SECTION 1920. ESTABLISHMENT OF A REGIONAL SECONDARY SCHOOL OPERATED BY A
12 BOARD OF EDUCATION.

13 1921. ESTABLISHMENT OF A REGIONAL SECONDARY SCHOOL OPERATED BY A
14 BOARD OF COOPERATIVE EDUCATIONAL SERVICES.

15 1922. STATE AID FOR REGIONAL SECONDARY SCHOOLS.

16 1923. REGIONAL SECONDARY SCHOOL ADVISORY COMMITTEE.

17 1924. APPLICABILITY.

18 S 1920. ESTABLISHMENT OF A REGIONAL SECONDARY SCHOOL OPERATED BY A
19 BOARD OF EDUCATION. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
20 CONTRARY, FOR PURPOSES OF THIS ARTICLE, A REGIONAL SECONDARY SCHOOL
21 SHALL MEAN A HIGH SCHOOL WITH GRADES SIX, SEVEN AND/OR EIGHT AS AGREED
22 UPON BY EACH OF THE PARTICIPATING DISTRICTS CONSISTENT WITH THE GRADE
23 CONFIGURATION OF THE NEW SECONDARY SCHOOL OR SCHOOLS.

24 2. A REGIONAL SECONDARY SCHOOL MAY BE ESTABLISHED PURSUANT TO THIS
25 SECTION BY AGREEMENT OF THE BOARDS OF EDUCATION OF TWO OR MORE CENTRAL
26 SCHOOL DISTRICTS, UNION FREE SCHOOL DISTRICTS AND/OR COMMON SCHOOL
27 DISTRICTS THAT ARE WHOLLY CONTAINED WITHIN THE SUPERVISORY DISTRICT OF A
28 BOARD OF COOPERATIVE EDUCATIONAL SERVICES, SUBJECT TO THE APPROVAL OF
29 THE VOTERS OF EACH PARTICIPATING DISTRICT. PROVIDED, HOWEVER, THAT A
30 COMPONENT SCHOOL DISTRICT OF A CENTRAL HIGH SCHOOL DISTRICT AND A
31 SPECIAL ACT SCHOOL DISTRICT, AS DEFINED IN SECTION FOUR THOUSAND ONE OF
32 THIS CHAPTER, SHALL NOT BE AUTHORIZED TO PARTICIPATE IN A REGIONAL
33 SECONDARY SCHOOL. A CENTRAL HIGH SCHOOL DISTRICT, SUBJECT TO APPROVAL OF
34 ITS VOTERS, ALSO MAY ENTER INTO AN AGREEMENT WITH SCHOOL DISTRICTS OTHER
35 THAN ITS COMPONENT SCHOOL DISTRICTS THAT ARE WHOLLY CONTAINED WITHIN THE
36 SUPERVISORY DISTRICT OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO
37 ESTABLISH A REGIONAL SECONDARY SCHOOL. SUCH REGIONAL SECONDARY SCHOOL
38 SHALL SERVE ALL OF THE STUDENTS IN EACH OF THE PARTICIPATING DISTRICTS
39 IN GRADES NINE THROUGH TWELVE AND MAY ALSO SERVE STUDENTS IN GRADES SIX,
40 SEVEN AND/OR EIGHT AS AGREED UPON BY EACH OF THE PARTICIPATING DISTRICTS
41 CONSISTENT WITH THE GRADE CONFIGURATION OF THE NEW SECONDARY SCHOOL OR
42 SCHOOLS, PROVIDED THAT EACH PARTICIPATING DISTRICT SHALL CEASE DISTRICT
43 OPERATION OF ITS HIGH SCHOOL, IF THE PARTICIPATING SCHOOL DISTRICT OPER-
44 ATES A HIGH SCHOOL. THE REGIONAL SECONDARY SCHOOL MAY BE OPERATED BY ONE
45 OF THE PARTICIPATING SCHOOL DISTRICTS UPON THE AGREEMENT OF THE OTHER
46 PARTICIPATING DISTRICTS, AND SUCH DISTRICT SHALL ASSUME THE RESPONSIBIL-
47 ITY TO OPERATE, SUPERVISE AND MAINTAIN THE REGIONAL SECONDARY SCHOOL AND
48 THE ADMINISTRATION OF SUCH SECONDARY SCHOOL. FOR PURPOSES OF THIS ARTI-
49 CLE, THE SCHOOL DISTRICT DESIGNATED AS THE OPERATING DISTRICT SHALL BE
50 REFERRED TO AS THE HOSTING DISTRICT. ALTERNATIVELY, THE REGIONAL
51 SECONDARY SCHOOL MAY BE OPERATED BY A JOINT BOARD OF EDUCATION ESTAB-
52 LISHED PURSUANT TO THIS SECTION. THE ESTABLISHMENT OF A REGIONAL SECOND-
53 ARY SCHOOL SHALL BE SUBJECT TO THE APPROVAL OF THE COMMISSIONER, IN A
54 MANNER AND TIMEFRAME, AS SET FORTH WITHIN THIS SECTION. SCHOOL DISTRICTS

1 PARTICIPATING IN A REGIONAL SECONDARY SCHOOL NEED NOT BE GEOGRAPHICALLY
2 CONTIGUOUS.

3 3. TO ESTABLISH A REGIONAL SECONDARY SCHOOL, TWO OR MORE PARTICIPATING
4 SCHOOL DISTRICTS MUST INITIALLY ADOPT, BY MAJORITY VOTE OF THE BOARD OF
5 EDUCATION OF EACH PARTICIPATING DISTRICT, A RESOLUTION PROPOSING THE
6 ESTABLISHMENT OF SUCH REGIONAL SECONDARY SCHOOL. THE RESOLUTION SHALL
7 INDICATE THE PROPOSED PARTICIPATING SCHOOL DISTRICTS AND WHETHER THE
8 SCHOOL WOULD BE GOVERNED BY A PROPOSED HOSTING DISTRICT OR A JOINT BOARD
9 OF EDUCATION AND THE PROPOSED TERM OF THE CONTRACT GOVERNING THE
10 REGIONAL SECONDARY SCHOOL. THE RESOLUTION SHALL BE VOTED ON BY EACH
11 BOARD AT A MEETING HELD NO LATER THAN OCTOBER FIRST OF THE SCHOOL YEAR
12 PRIOR TO THE SCHOOL YEAR IN WHICH THE REGIONAL SECONDARY SCHOOL IS
13 PROPOSED TO COMMENCE OPERATION. IF TWO OR MORE SCHOOL DISTRICTS ADOPT
14 SUCH A RESOLUTION, THE RESOLUTION SHALL BE PRESENTED IN A REFERENDUM FOR
15 VOTER APPROVAL IN EACH OF THE PROPOSED PARTICIPATING DISTRICTS. UPON
16 APPROVAL BY THE VOTERS IN EACH OF THE PROPOSED PARTICIPATING SCHOOL
17 DISTRICTS, THE PARTICIPATING SCHOOL DISTRICTS SHALL COLLECTIVELY ENTER
18 INTO A CONTRACT FOR THE ESTABLISHMENT OF A REGIONAL SECONDARY SCHOOL. IN
19 THE EVENT THE VOTERS DO NOT APPROVE SUCH RESOLUTION, THE RESOLUTION MAY
20 BE PRESENTED FOR ONE RE-VOTE IN THE PROPOSED PARTICIPATING DISTRICTS;
21 OR, IF THE BOARDS OF EDUCATION OF ONE OR MORE SUCH DISTRICTS VOTE TO
22 RESCIND THEIR RESOLUTION TO PARTICIPATE IN THE REGIONAL SECONDARY
23 SCHOOL, ONE ADDITIONAL VOTE MAY BE HELD IN EACH OF THE REMAINING
24 PROPOSED PARTICIPATING DISTRICTS. IN NO EVENT MAY MORE THAN TWO VOTES BE
25 HELD IN ANY PROPOSED PARTICIPATING DISTRICT IN ANY SCHOOL YEAR.

26 4. WITH THE CONSENT OF EACH OF THE PARTICIPATING BOARDS OF EDUCATION
27 AND APPROVAL OF THE COMMISSIONER, ADDITIONAL SCHOOL DISTRICTS OTHERWISE
28 ELIGIBLE TO ESTABLISH THE REGIONAL SECONDARY SCHOOL MAY JOIN THE
29 REGIONAL SECONDARY SCHOOL IN THE SECOND OR A SUBSEQUENT YEAR OF OPERA-
30 TION BY ADOPTING A BOARD RESOLUTION AND OBTAINING VOTER APPROVAL
31 SUBSTANTIALLY IN THE MANNER PRESCRIBED IN SUBDIVISION TWO OF THIS
32 SECTION.

33 5. (A) UPON RECEIPT OF VOTER APPROVAL IN EACH OF THE PARTICIPATING
34 SCHOOL DISTRICTS, SUCH DISTRICTS SHALL SUBMIT THE PROPOSED CONTRACT,
35 TOGETHER WITH THE PLAN OF FORMATION AND OPERATION OF THE REGIONAL
36 SECONDARY SCHOOL, TO THE COMMISSIONER FOR HIS OR HER APPROVAL, IN A TIME
37 AND MANNER PRESCRIBED BY THE COMMISSIONER. SUCH CONTRACT SHALL BE AN
38 INTERMUNICIPAL SHARING AGREEMENT PURSUANT TO ARTICLE FIVE-G OF THE
39 GENERAL MUNICIPAL LAW THAT COMPLIES WITH THE REQUIREMENTS OF THIS
40 SECTION.

41 (B) THE REGIONAL SECONDARY SCHOOL AND THE PROPOSED CONTRACT SHALL MEET
42 THE FOLLOWING REQUIREMENTS:

43 (I) THE CONTRACT SHALL SPECIFY ITS TERM, WHICH SHALL NOT BE LESS THAN
44 FIVE NOR MORE THAN SEVEN SCHOOL YEARS, AND SHALL EITHER DESIGNATE THE
45 BOARD OF EDUCATION OF THE HOSTING DISTRICT AS THE GOVERNING BOARD THAT
46 WILL OPERATE THE REGIONAL SECONDARY SCHOOL ON BEHALF OF ALL PARTICIPAT-
47 ING DISTRICTS, OR THE JOINT BOARD OF EDUCATION THAT WILL SERVE AS
48 GOVERNING BOARD FOR THE REGIONAL SECONDARY SCHOOL. THE GOVERNING BOARD
49 SHALL HAVE RESPONSIBILITY FOR THE OPERATION, SUPERVISION AND MAINTENANCE
50 OF THE REGIONAL SECONDARY SCHOOL AND SHALL BE RESPONSIBLE FOR THE ADMIN-
51 ISTRATION OF THE SCHOOL, INCLUDING THE CURRICULUM, GRADING, STAFFING AND
52 THE ISSUANCE OF DIPLOMAS FOR ALL STUDENTS THAT ATTEND THE REGIONAL
53 SECONDARY SCHOOL, AS SHALL BE DESIGNATED IN THE CONTRACT. PROVIDED,
54 HOWEVER, THAT THE CONTRACT MAY PROVIDE FOR ISSUANCE OF THE DIPLOMA BY
55 THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE UPON CERTIFICATION BY THE
56 GOVERNING BOARD THAT ALL GRADUATION REQUIREMENTS OF THE REGIONAL SECOND-

1 ARY SCHOOL HAVE BEEN MET. THE REGIONAL SECONDARY SCHOOL SHALL BE DEEMED
2 A SCHOOL OF THE GOVERNING BOARD FOR ACCOUNTABILITY PURPOSES;

3 (II) THE CONTRACT SHALL PROVIDE THE NAME OF THE SCHOOL, WHICH SHALL BE
4 SUBJECT TO THE COMMISSIONER'S APPROVAL, THE GRADES OF INSTRUCTION
5 INTENDED TO BE SERVED BY THE REGIONAL SECONDARY SCHOOL, AND DESIGNATE
6 THE SITE OF THE REGIONAL SECONDARY SCHOOL, WHICH SHALL BE WITHIN THE
7 BOUNDARIES OF ONE OF THE PARTICIPATING DISTRICTS AND WHERE POSSIBLE,
8 SHOULD USE EXISTING BUILDINGS AND/OR INFRASTRUCTURE;

9 (III) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE
10 CONTRACT SHALL PROVIDE THAT EACH PARTICIPATING SCHOOL DISTRICT SHALL BE
11 RESPONSIBLE FOR PROVIDING OR ARRANGING FOR TRANSPORTATION TO ITS RESI-
12 DENT STUDENTS ATTENDING THE REGIONAL SECONDARY SCHOOL IN ACCORDANCE WITH
13 ITS SCHOOL DISTRICT POLICY, BUT WITHOUT REGARD TO ANY MAXIMUM MILEAGE
14 LIMITATION. SUCH TRANSPORTATION MAY BE PROVIDED BY CONTRACT, INCLUDING
15 BUT NOT LIMITED TO A CONTRACT WITH ONE OR MORE PARTICIPATING DISTRICTS
16 OR A BOARD OF COOPERATIVE EDUCATIONAL SERVICES;

17 (IV) THE CONTRACT SHALL SPECIFY THAT THE STUDENTS OF EACH PARTICIPAT-
18 ING SCHOOL DISTRICT SHALL REMAIN ENROLLED AS STUDENTS OF THEIR RESPEC-
19 TIVE PARTICIPATING SCHOOL DISTRICTS, AND THEY SHALL BE TREATED AND
20 COUNTED AS SUCH FOR PURPOSES OF ALL STATE AID CALCULATIONS PURSUANT TO
21 THIS CHAPTER;

22 (V) THE CONTRACT SHALL EITHER DESIGNATE THE BOARD OF EDUCATION OF THE
23 HOSTING DISTRICT TO SERVE AS THE GOVERNING BOARD OF THE REGIONAL SECOND-
24 ARY SCHOOL OR SHALL PROVIDE FOR THE ESTABLISHMENT OF A NEW JOINT BOARD
25 OF EDUCATION FOR THE REGIONAL SECONDARY SCHOOL WITH AT LEAST FIVE
26 MEMBERS, WITH REPRESENTATIVES APPOINTED BY EACH PARTICIPATING DISTRICT.
27 THE CONTRACT SHALL SPECIFY THE NUMBER, TERM, AND PROCEDURES FOR APPOINT-
28 MENT OF JOINT BOARD MEMBERS. IF THE DISTRICTS CHOOSE TO CREATE A NEW
29 JOINT BOARD OF EDUCATION, THE BOARD SHALL HAVE THE SAME POWERS AND
30 DUTIES WITH RESPECT TO THE REGIONAL SECONDARY SCHOOL AS A BOARD OF
31 EDUCATION OF A UNION FREE SCHOOL DISTRICT HAS WITH RESPECT TO ITS
32 SCHOOLS UNDER THIS CHAPTER, EXCEPT AS MODIFIED BY THE TERMS OF THE
33 CONTRACT;

34 (VI) THE CONTRACT SHALL SPECIFY THE CURRENT ENROLLMENT OF ALL PARTIC-
35 IPATING SCHOOL DISTRICTS AND THE PROJECTED TOTAL ENROLLMENT NUMBERS OF
36 THE REGIONAL SECONDARY SCHOOL;

37 (VII) THE CONTRACT MUST DEMONSTRATE HOW THE REGIONAL SECONDARY SCHOOL
38 WILL PROVIDE INCREASED EDUCATIONAL OPPORTUNITIES, INCLUDING COURSES AND
39 PROGRAMS IN SCIENCE, TECHNOLOGY, ENGINEERING AND MATH, TO PREPARE
40 STUDENTS FOR COLLEGE AND CAREER READINESS AND IMPROVE STUDENT PERFORM-
41 ANCE;

42 (VIII) ALL TEACHERS, TEACHING ASSISTANTS AND TEACHER AIDES OF THE
43 PARTICIPATING SCHOOL DISTRICTS, WHOSE SERVICES IN THE PARTICIPATING
44 SCHOOL DISTRICTS ARE NO LONGER NEEDED BECAUSE OF THE ESTABLISHMENT OF A
45 REGIONAL SECONDARY SCHOOL OR THE TRANSFER OF STUDENTS TO AN EXISTING
46 REGIONAL SECONDARY SCHOOL, AS A RESULT OF A NEW PARTICIPATING SCHOOL
47 DISTRICT JOINING THE REGIONAL SECONDARY SCHOOL SHALL IMMEDIATELY BECOME
48 EMPLOYEES OF THE GOVERNING BOARD DESIGNATED IN THE CONTRACT, AND SHALL
49 RETAIN THEIR TENURE AND/OR EMPLOYMENT STATUS AND THE SENIORITY GAINED IN
50 THE PARTICIPATING DISTRICT. IF THE NUMBER OF TEACHING, TEACHING ASSIST-
51 ANT OR TEACHER AIDE POSITIONS NEEDED TO PROVIDE THE EDUCATIONAL SERVICES
52 REQUIRED BY A REGIONAL SECONDARY SCHOOL IS LESS THAN THE NUMBER OF
53 TEACHERS, TEACHING ASSISTANTS, AND TEACHER AIDES ELIGIBLE TO BE CONSID-
54 ERED EMPLOYEES OF THE DESIGNATED GOVERNING BOARD OF SUCH REGIONAL
55 SECONDARY SCHOOL PURSUANT TO THIS PARAGRAPH, THE SERVICES OF THE TEACH-
56 ERS, TEACHING ASSISTANTS AND TEACHER AIDES HAVING THE LEAST SENIORITY IN

1 THE PARTICIPATING SCHOOL DISTRICT WITHIN THE TENURE AREA OR CIVIL
2 SERVICE STATUS, AS THE CASE MAY BE, OF THE POSITION SHALL BE DISCONTIN-
3 UED. ANY SUCH EMPLOYEES WHO ARE TEACHERS, TEACHING ASSISTANTS OR TEACHER
4 AIDES SHALL BE PLACED ON A PREFERRED ELIGIBLE LIST OF CANDIDATES FOR
5 APPOINTMENT TO A VACANCY THAT MAY THEREAFTER OCCUR IN AN OFFICE OR POSI-
6 TION UNDER THE JURISDICTION OF THE PARTICIPATING SCHOOL DISTRICT IN
7 ACCORDANCE WITH THE PROVISIONS OF SECTION TWENTY-FIVE HUNDRED TEN OR
8 THREE THOUSAND THIRTEEN OF THIS CHAPTER. FOR ANY SUCH TEACHER, TEACHING
9 ASSISTANT OR TEACHER AIDE WHO IS RETAINED BY THE GOVERNING BOARD, FOR
10 SALARY, SICK LEAVE AND ANY OTHER PURPOSES, THE LENGTH OF SERVICE CREDIT-
11 ED IN SUCH PARTICIPATING SCHOOL DISTRICT PRIOR TO ITS PARTICIPATION IN
12 THE REGIONAL SECONDARY SCHOOL SHALL BE CREDITED AS EMPLOYMENT TIME WITH
13 THE DESIGNATED GOVERNING BOARD;

14 (IX) UPON TERMINATION OF THE CONTRACT PURSUANT TO THIS SECTION AND THE
15 RETURN OF STUDENTS FROM THE REGIONAL SECONDARY SCHOOL TO THE FORMER
16 PARTICIPATING SCHOOL DISTRICT, THE TEACHERS, TEACHING ASSISTANTS, AND
17 TEACHER AIDES EMPLOYED BY THE GOVERNING BOARD TO SERVE IN THE REGIONAL
18 SECONDARY SCHOOL SHALL HAVE THE SAME EMPLOYMENT RIGHTS IN THE PARTIC-
19 IPATING SCHOOL DISTRICTS AS TEACHERS WOULD HAVE UPON TAKEOVER OF A BOARD
20 OF COOPERATIVE EDUCATIONAL SERVICES PROGRAM BY SUCH SCHOOL DISTRICTS
21 PURSUANT TO SECTION THREE THOUSAND FOURTEEN-B OF THIS CHAPTER;

22 (X) THE CONTRACT SHALL SPECIFY THE PROCESS FOR DEVELOPMENT OF THE
23 BUDGET FOR THE REGIONAL SECONDARY SCHOOL BY THE DESIGNATED GOVERNING
24 BOARD AND HOW OPERATING AND ADMINISTRATIVE COSTS AND THE LOCAL SHARE OF
25 CAPITAL EXPENSES ATTRIBUTABLE TO THE REGIONAL SECONDARY SCHOOL WILL BE
26 ALLOCATED AMONG THE PARTICIPATING DISTRICTS;

27 (XI) THE CONTRACT SHALL SPECIFY THE COSTS OF THE REGIONAL SECONDARY
28 SCHOOL, STAFFING, CURRENT AND FUTURE CAPITAL CONSTRUCTION PLANS AND FOR
29 THE DELIVERY OF SPECIAL EDUCATION PROGRAMS;

30 (XII) THE CONTRACT SHALL SPECIFY THE PROCEDURES FOR DISCIPLINE OF
31 STUDENTS ATTENDING THE REGIONAL SECONDARY SCHOOL, INCLUDING THE APPLICA-
32 BLE CODE OF CONDUCT PROVIDED THAT SUCH CODE OF CONDUCT MEETS THE
33 REQUIREMENTS OF SECTION TWENTY-EIGHT HUNDRED ONE OF THIS TITLE AND
34 PROCEDURES FOR SUPERINTENDENTS' HEARINGS AND APPEALS TO THE BOARD OF
35 EDUCATION PURSUANT TO SECTION THIRTY-TWO HUNDRED FOURTEEN OF THIS CHAP-
36 TER;

37 (XIII) THE CONTRACT SHALL SPECIFY THE COSTS OF THE OPERATION OF THE
38 REGIONAL SECONDARY SCHOOL FOR EACH PARTICIPATING SCHOOL DISTRICT AND AN
39 ITEMIZED LISTING OF THE COST SAVINGS FOR EACH PARTICIPATING SCHOOL
40 DISTRICT;

41 (XIV) THE CONTRACT SHALL SPECIFY HOW EXTRA-CURRICULAR ACTIVITIES AND
42 INTERSCHOLASTIC ATHLETICS WILL BE PROVIDED TO STUDENTS OF THE REGIONAL
43 SECONDARY SCHOOL;

44 (XV) THE CONTRACT SHALL SPECIFY THE FISCAL IMPLICATIONS OF THE
45 REGIONAL SECONDARY SCHOOL INCLUDING EXPECTED STATE AID AND EXPECTED
46 CHANGES IN EXPENDITURES AND PROPERTY TAX LEVIES;

47 (XVI) THE CONTRACT SHALL SPECIFY WHETHER THE EMPLOYEES OF THE REGIONAL
48 SECONDARY SCHOOL SHALL ESTABLISH NEW EMPLOYEE ORGANIZATIONS, PURSUANT TO
49 ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, FOR THEIR REPRESENTATION, OR,
50 WHERE APPLICABLE, WHETHER THEY SHALL BECOME MEMBERS OF THE APPLICABLE
51 EMPLOYEE ORGANIZATIONS REPRESENTING THE EMPLOYEES OF THE HOSTING
52 DISTRICT; AND

53 (XVII) THE CONTRACT SHALL SET FORTH ANY OTHER INFORMATION OR ANALYSIS
54 AS MAY BE REQUIRED BY THE REGULATIONS OF THE COMMISSIONER.

55 6. IF THE COMMISSIONER APPROVES THE PROPOSED CONTRACT, THE REGIONAL
56 SECONDARY SCHOOL SHALL BE ESTABLISHED. THE CONTRACT SHALL BE FOR A PERI-

1 OD OF AT LEAST FIVE AND NOT MORE THAN SEVEN SCHOOL YEARS AND, WITH THE
2 APPROVAL OF THE COMMISSIONER, MAY BE RENEWED BY MUTUAL AGREEMENT OF THE
3 BOARDS OF EDUCATION OF THE PARTICIPATING DISTRICTS. THE REGIONAL SECOND-
4 ARY SCHOOL SHALL COMMENCE OPERATIONS ON THE FIRST OF JULY, AND SHALL NOT
5 CEASE OPERATIONS BEFORE THE THIRTIETH OF JUNE IN ANY SCHOOL YEAR.

6 S 1921. ESTABLISHMENT OF A REGIONAL SECONDARY SCHOOL OPERATED BY A
7 BOARD OF COOPERATIVE EDUCATIONAL SERVICES. 1. NOTWITHSTANDING ANY OTHER
8 PROVISION OF LAW TO THE CONTRARY, FOR PURPOSES OF THIS ARTICLE, A
9 REGIONAL SECONDARY SCHOOL SHALL MEAN A HIGH SCHOOL WITH GRADES SIX,
10 SEVEN AND/OR EIGHT AS AGREED UPON BY EACH OF THE PARTICIPATING DISTRICTS
11 CONSISTENT WITH THE GRADE CONFIGURATION OF THE NEW SECONDARY SCHOOL OR
12 SCHOOLS.

13 2. A REGIONAL SECONDARY SCHOOL MAY BE ESTABLISHED PURSUANT TO THIS
14 SECTION BY AGREEMENT OF A BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND
15 THE BOARDS OF EDUCATION OF TWO OR MORE CENTRAL SCHOOL DISTRICTS, UNION
16 FREE SCHOOL DISTRICTS AND/OR COMMON SCHOOL DISTRICTS THAT ARE WHOLLY
17 CONTAINED WITHIN THE SUPERVISORY DISTRICT OF THE BOARD OF COOPERATIVE
18 EDUCATIONAL SERVICES, SUBJECT TO THE APPROVAL OF THE VOTERS OF THE
19 PARTICIPATING DISTRICTS. PROVIDED, HOWEVER, THAT A COMPONENT SCHOOL
20 DISTRICT OF A CENTRAL HIGH SCHOOL DISTRICT AND A SPECIAL ACT SCHOOL
21 DISTRICT, AS DEFINED IN SECTION FOUR THOUSAND ONE OF THIS CHAPTER, SHALL
22 NOT BE AUTHORIZED TO PARTICIPATE IN A REGIONAL SECONDARY SCHOOL. A
23 CENTRAL HIGH SCHOOL DISTRICT, SUBJECT TO APPROVAL OF ITS VOTERS, ALSO
24 MAY ENTER INTO AN AGREEMENT WITH THE BOARD OF COOPERATIVE EDUCATIONAL
25 SERVICES AND SCHOOL DISTRICTS OTHER THAN ITS COMPONENT SCHOOL DISTRICTS
26 THAT ARE WHOLLY CONTAINED WITHIN THE SUPERVISORY DISTRICT OF THE BOARD
27 OF COOPERATIVE EDUCATIONAL SERVICES TO ESTABLISH A REGIONAL SECONDARY
28 SCHOOL. SUCH REGIONAL SECONDARY SCHOOL SHALL SERVE ALL OF THE STUDENTS
29 IN EACH OF THE PARTICIPATING DISTRICTS IN GRADES NINE THROUGH TWELVE AND
30 MAY ALSO SERVE STUDENTS IN GRADES SIX, SEVEN AND/OR EIGHT AS AGREED UPON
31 BY EACH OF THE PARTICIPATING DISTRICTS CONSISTENT WITH THE GRADE CONFIG-
32 URATION OF THE NEW SECONDARY SCHOOL OR SCHOOLS, PROVIDED THAT EACH
33 PARTICIPATING SCHOOL DISTRICT SHALL CEASE DISTRICT OPERATION OF ITS HIGH
34 SCHOOL, IF SAID PARTICIPATING DISTRICT OPERATES A HIGH SCHOOL. THE
35 REGIONAL SECONDARY SCHOOL SHALL BE OPERATED BY THE BOARD OF COOPERATIVE
36 EDUCATIONAL SERVICES, WHICH SHALL ASSUME THE RESPONSIBILITY TO OPERATE,
37 SUPERVISE AND MAINTAIN THE REGIONAL SECONDARY SCHOOL AND THE ADMINIS-
38 TRATION OF SUCH SECONDARY SCHOOL. THE ESTABLISHMENT OF A REGIONAL
39 SECONDARY SCHOOL SHALL BE SUBJECT TO THE APPROVAL OF THE COMMISSIONER,
40 IN A MANNER AND TIMEFRAME, AS SET FORTH WITHIN THIS SECTION. SCHOOL
41 DISTRICTS PARTICIPATING IN A REGIONAL SECONDARY SCHOOL NEED NOT BE
42 GEOGRAPHICALLY CONTIGUOUS.

43 3. TO ESTABLISH A REGIONAL SECONDARY SCHOOL, TWO OR MORE PARTICIPATING
44 SCHOOL DISTRICTS AND THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES MUST
45 INITIALLY ADOPT, BY A MAJORITY VOTE OF THE BOARD OF EDUCATION OF EACH
46 PARTICIPATING DISTRICT AND THE BOARD OF COOPERATIVE EDUCATIONAL
47 SERVICES, A RESOLUTION PROPOSING THE ESTABLISHMENT OF SUCH REGIONAL
48 SECONDARY SCHOOL. THE RESOLUTION SHALL INDICATE THAT THE BOARD OF COOP-
49 ERATIVE EDUCATIONAL SERVICES WILL OPERATE THE REGIONAL SECONDARY SCHOOL
50 ON BEHALF OF THE PARTICIPATING DISTRICTS AND SPECIFY THE PARTICIPATING
51 SCHOOL DISTRICTS AND THE PROPOSED TERM OF THE CONTRACT GOVERNING THE
52 REGIONAL SECONDARY SCHOOL. THE RESOLUTION SHALL BE VOTED ON BY EACH
53 BOARD AT A MEETING HELD NO LATER THAN OCTOBER FIRST OF THE SCHOOL YEAR
54 PRIOR TO THE SCHOOL YEAR IN WHICH THE REGIONAL SECONDARY SCHOOL IS
55 PROPOSED TO COMMENCE OPERATION. IF TWO OR MORE SCHOOL DISTRICTS AND THE
56 BOARD OF COOPERATIVE EDUCATIONAL SERVICES ADOPT SUCH A RESOLUTION, THE

1 RESOLUTION MUST THEN BE PRESENTED IN A REFERENDUM FOR VOTER APPROVAL IN
2 EACH OF THE PROPOSED PARTICIPATING DISTRICTS. UPON APPROVAL BY THE
3 VOTERS IN EACH OF THE PARTICIPATING DISTRICTS, THE PARTICIPATING SCHOOL
4 DISTRICTS AND THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL
5 COLLECTIVELY ENTER INTO A CONTRACT FOR THE ESTABLISHMENT OF A REGIONAL
6 SECONDARY SCHOOL. IN THE EVENT THE VOTERS DO NOT APPROVE SUCH RESOL-
7 UTION, THE RESOLUTION MAY BE PRESENTED FOR ONE RE-VOTE; OR, IF THE
8 BOARDS OF EDUCATION OF ONE OR MORE SUCH DISTRICTS VOTE TO RESCIND THEIR
9 RESOLUTION TO PARTICIPATE IN THE REGIONAL SECONDARY SCHOOL, ONE ADDI-
10 TIONAL VOTE MAY BE HELD IN EACH OF THE REMAINING PROPOSED PARTICIPATING
11 DISTRICTS. IN NO EVENT MAY MORE THAN TWO VOTES BE HELD IN ANY PROPOSED
12 PARTICIPATING DISTRICT IN ANY SCHOOL YEAR.

13 4. WITH THE CONSENT OF EACH OF THE PARTICIPATING BOARDS OF EDUCATION
14 AND THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND APPROVAL OF THE
15 COMMISSIONER, ADDITIONAL SCHOOL DISTRICTS OTHERWISE ELIGIBLE TO ESTAB-
16 LISH THE REGIONAL SECONDARY SCHOOL MAY JOIN THE REGIONAL SECONDARY
17 SCHOOL IN THE SECOND OR SUBSEQUENT YEAR OF OPERATION BY ADOPTING A BOARD
18 RESOLUTION AND OBTAINING VOTER APPROVAL SUBSTANTIALLY IN THE MANNER
19 PRESCRIBED IN SUBDIVISION TWO OF THIS SECTION.

20 5. (A) UPON RECEIPT OF VOTER APPROVAL, THE PROPOSED CONTRACT, TOGETHER
21 WITH THE PLAN OF FORMATION AND OPERATION OF THE REGIONAL SECONDARY
22 SCHOOL, SHALL BE SUBMITTED TO THE COMMISSIONER FOR HIS OR HER APPROVAL,
23 IN A TIME AND MANNER PRESCRIBED BY THE COMMISSIONER. SUCH CONTRACT SHALL
24 BE AN INTER-MUNICIPAL SHARING AGREEMENT PURSUANT TO ARTICLE FIVE-G OF
25 THE GENERAL MUNICIPAL LAW THAT COMPLIES WITH THE REQUIREMENTS OF THIS
26 SECTION.

27 (B) THE REGIONAL SECONDARY SCHOOL AND THE PROPOSED CONTRACT SHALL MEET
28 THE FOLLOWING REQUIREMENTS:

29 (I) THE CONTRACT SHALL SPECIFY ITS TERM, WHICH SHALL NOT BE LESS THAN
30 FIVE NOR MORE THAN SEVEN SCHOOL YEARS, AND SHALL PROVIDE THAT THE BOARD
31 OF COOPERATIVE EDUCATIONAL SERVICES WILL OPERATE THE REGIONAL SECONDARY
32 SCHOOL ON BEHALF OF ALL PARTICIPATING DISTRICTS. THE BOARD OF COOPER-
33 ATIVE EDUCATIONAL SERVICES SHALL SERVE AS THE GOVERNING BODY FOR THE
34 REGIONAL SECONDARY SCHOOL AND SHALL HAVE RESPONSIBILITY FOR THE OPERA-
35 TION, SUPERVISION AND MAINTENANCE OF THE REGIONAL SECONDARY SCHOOL AND
36 SHALL BE RESPONSIBLE FOR THE ADMINISTRATION OF SUCH SCHOOL, INCLUDING
37 GRADING AND THE ISSUANCE OF DIPLOMAS FOR ALL STUDENTS THAT ATTEND THE
38 REGIONAL SECONDARY SCHOOL, AS SHALL BE DESIGNATED IN THE CONTRACT.
39 PROVIDED, HOWEVER, THAT THE CONTRACT MAY PROVIDE FOR ISSUANCE OF THE
40 DIPLOMA BY THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE UPON CERTIFICATION
41 BY THE GOVERNING BOARD THAT ALL GRADUATION REQUIREMENTS OF THE REGIONAL
42 SECONDARY SCHOOL HAVE BEEN MET. THE BOARD OF COOPERATIVE EDUCATIONAL
43 SERVICES SHALL ALSO ACT AS A SCHOOL DISTRICT FOR ACCOUNTABILITY
44 PURPOSES;

45 (II) THE CONTRACT SHALL PROVIDE THE NAME OF THE SCHOOL, WHICH SHALL BE
46 SUBJECT TO THE COMMISSIONER'S APPROVAL, THE GRADES OF INSTRUCTION
47 INTENDED TO BE SERVED BY THE REGIONAL SECONDARY SCHOOL, AND DESIGNATE
48 THE SITE OF THE REGIONAL SECONDARY SCHOOL, WHICH SHALL BE WITHIN THE
49 BOUNDARIES OF THE SUPERVISORY DISTRICT OF THE BOARD OF COOPERATIVE
50 EDUCATIONAL SERVICES AND WHERE POSSIBLE, SHOULD USE EXISTING BUILDINGS
51 AND/OR INFRASTRUCTURE;

52 (III) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE CONTRACT SHALL
53 PROVIDE THAT EACH PARTICIPATING SCHOOL DISTRICT SHALL BE RESPONSIBLE FOR
54 PROVIDING OR ARRANGING FOR TRANSPORTATION TO ITS RESIDENT STUDENTS
55 ATTENDING THE REGIONAL SECONDARY SCHOOL IN ACCORDANCE WITH ITS SCHOOL
56 DISTRICT POLICY, BUT WITHOUT REGARD TO ANY MAXIMUM MILEAGE LIMITATION.

1 SUCH TRANSPORTATION MAY BE PROVIDED BY CONTRACT, INCLUDING BUT NOT
2 LIMITED TO A CONTRACT WITH ONE OR MORE PARTICIPATING DISTRICTS OR A
3 BOARD OF COOPERATIVE EDUCATIONAL SERVICES;

4 (IV) THE CONTRACT SHALL SPECIFY THAT THE STUDENTS OF EACH PARTICIPAT-
5 ING SCHOOL DISTRICT SHALL REMAIN ENROLLED AS STUDENTS OF THEIR RESPEC-
6 TIVE PARTICIPATING SCHOOL DISTRICTS, AND THEY SHALL BE TREATED AND
7 COUNTED AS SUCH FOR PURPOSES OF ALL STATE AID CALCULATIONS PURSUANT TO
8 THIS CHAPTER;

9 (V) THE CONTRACT SHALL SPECIFY THE CURRENT ENROLLMENT OF ALL PARTIC-
10 IPATING SCHOOL DISTRICTS AND THE PROJECTED TOTAL ENROLLMENT NUMBERS OF
11 THE REGIONAL SECONDARY SCHOOL;

12 (VI) THE CONTRACT MUST DEMONSTRATE HOW THE REGIONAL SECONDARY SCHOOL
13 WILL PROVIDE INCREASED EDUCATIONAL OPPORTUNITIES, INCLUDING COURSES AND
14 PROGRAMS IN SCIENCE, TECHNOLOGY, ENGINEERING AND MATH, TO PREPARE
15 STUDENTS FOR COLLEGE AND CAREER READINESS AND IMPROVE STUDENT PERFORM-
16 ANCE;

17 (VII) ALL TEACHERS, TEACHING ASSISTANTS AND TEACHER AIDES OF THE
18 PARTICIPATING SCHOOL DISTRICTS, WHOSE SERVICES IN THE PARTICIPATING
19 SCHOOL DISTRICTS ARE NO LONGER NEEDED BECAUSE OF THE ESTABLISHMENT OF A
20 REGIONAL SECONDARY SCHOOL OR THE TRANSFER OF STUDENTS TO AN EXISTING
21 REGIONAL SECONDARY SCHOOL AS A RESULT OF A NEW PARTICIPATING SCHOOL
22 DISTRICT JOINING THE REGIONAL SECONDARY SCHOOL, SHALL BECOME EMPLOYEES
23 OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES, AND SHALL RETAIN THEIR
24 TENURE AND/OR EMPLOYMENT STATUS AND THE SENIORITY GAINED IN THE PARTIC-
25 IPATING DISTRICT. IF THE NUMBER OF TEACHING, TEACHING ASSISTANT OR
26 TEACHER AIDE POSITIONS NEEDED TO PROVIDE THE EDUCATIONAL SERVICES
27 REQUIRED BY A REGIONAL SECONDARY SCHOOL IS LESS THAN THE NUMBER OF
28 TEACHERS, TEACHING ASSISTANTS OR TEACHER AIDES ELIGIBLE TO BE CONSIDERED
29 EMPLOYEES OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES PURSUANT TO
30 THIS SUBPARAGRAPH, THE SERVICES OF THE TEACHERS, TEACHING ASSISTANTS OR
31 TEACHER AIDES HAVING THE LEAST SENIORITY IN THE PARTICIPATING SCHOOL
32 DISTRICTS WITHIN THE TENURE AREA OR CIVIL SERVICE STATUS, AS THE CASE
33 MAY BE, OF THE POSITION SHALL BE DISCONTINUED. ANY SUCH EMPLOYEES WHO
34 ARE TEACHERS, TEACHING ASSISTANTS, OR TEACHERS AIDES SHALL HAVE ALL THE
35 EMPLOYMENT RIGHTS SPECIFIED IN SECTION THREE THOUSAND FOURTEEN-A OF THIS
36 CHAPTER.

37 (VIII) UPON TERMINATION OF THE CONTRACT PURSUANT TO THIS SECTION AND
38 THE RETURN OF STUDENTS FROM THE REGIONAL SECONDARY SCHOOL TO THE FORMER
39 PARTICIPATING SCHOOL DISTRICT, THE TEACHERS, TEACHING ASSISTANTS AND
40 TEACHER AIDES EMPLOYED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES
41 TO SERVE SHALL HAVE THE EMPLOYMENT RIGHTS IN THE PARTICIPATING SCHOOL
42 DISTRICTS AS SPECIFIED IN SECTION THREE THOUSAND FOURTEEN-B OF THIS
43 CHAPTER;

44 (IX) THE CONTRACT SHALL SPECIFY THE PROCESS FOR DEVELOPMENT OF THE
45 BUDGET FOR THE REGIONAL SECONDARY SCHOOL BY THE BOARD OF COOPERATIVE
46 EDUCATIONAL SERVICES CONSISTENT WITH SUBPARAGRAPH EIGHT OF PARAGRAPH B
47 OF SUBDIVISION FOUR OF SECTION NINETEEN HUNDRED FIFTY OF THIS TITLE AND
48 HOW OPERATING AND ADMINISTRATIVE COSTS AND THE LOCAL SHARE OF CAPITAL
49 EXPENSES ATTRIBUTABLE TO THE REGIONAL SECONDARY SCHOOL WILL BE ALLOCATED
50 AMONG THE PARTICIPATING DISTRICTS;

51 (X) THE CONTRACT SHALL SPECIFY THE COSTS OF THE REGIONAL SECONDARY
52 SCHOOL, STAFFING, CURRENT AND FUTURE CAPITAL CONSTRUCTION PLANS, AND THE
53 DELIVERY OF SPECIAL EDUCATION PROGRAMS;

54 (XI) THE CONTRACT SHALL SPECIFY THE COST OF THE OPERATION OF THE
55 REGIONAL SECONDARY SCHOOL FOR EACH PARTICIPATING SCHOOL DISTRICT AND AN

ITEMIZED LISTING OF THE COST SAVINGS FOR EACH PARTICIPATING SCHOOL DISTRICT;

(XII) THE CONTRACT SHALL SPECIFY HOW EXTRA-CURRICULAR ACTIVITIES AND INTERSCHOLASTIC ATHLETICS WILL BE PROVIDED TO STUDENTS OF THE REGIONAL SECONDARY SCHOOL;

(XIII) THE CONTRACT SHALL SPECIFY THE PROCEDURES FOR DISCIPLINE OF STUDENTS ATTENDING THE REGIONAL SECONDARY SCHOOL, INCLUDING THE APPLICABLE CODE OF CONDUCT PROVIDED THAT SUCH CODE OF CONDUCT MEETS THE REQUIREMENTS OF SECTION TWENTY-EIGHT HUNDRED ONE OF THIS TITLE AND PROCEDURES FOR SUPERINTENDENTS' HEARINGS AND APPEALS TO THE BOARD OF EDUCATION PURSUANT TO SECTION THIRTY-TWO HUNDRED FOURTEEN OF THIS CHAPTER;

(XIV) THE CONTRACT SHALL SPECIFY WHETHER THE EMPLOYEES OF THE REGIONAL SECONDARY SCHOOL SHALL ESTABLISH NEW EMPLOYEE ORGANIZATIONS, PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, FOR THEIR REPRESENTATION, OR, WHERE APPLICABLE, WHETHER THEY SHALL BECOME MEMBERS OF THE APPLICABLE EMPLOYEE ORGANIZATIONS REPRESENTING THE EMPLOYEES OF THE HOSTING DISTRICT;

(XV) THE CONTRACT SHALL SPECIFY THE FISCAL IMPLICATIONS OF THE REGIONAL SECONDARY SCHOOL, INCLUDING THE CURRENT AND EXPECTED STATE AID AND EXPECTED CHANGES IN EXPENDITURES AND PROPERTY TAX LEVIES; AND

(XVI) THE CONTRACT SHALL SET FORTH ANY OTHER INFORMATION OR ANALYSIS AS MAY BE REQUIRED BY THE REGULATIONS OF THE COMMISSIONER.

6. IF THE COMMISSIONER APPROVES THE PROPOSED CONTRACT, THE REGIONAL SECONDARY SCHOOL SHALL BE ESTABLISHED. THE CONTRACT SHALL NOT BE FOR A PERIOD OF NOT LESS THAN FIVE NOR MORE THAN SEVEN SCHOOL YEARS AND, WITH THE APPROVAL OF THE COMMISSIONER, MAY BE RENEWED BY MUTUAL AGREEMENT OF THE BOARDS OF EDUCATION OF THE PARTICIPATING DISTRICTS AND THE SUPERVISORY DISTRICT OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES. THE REGIONAL SECONDARY SCHOOL SHALL COMMENCE OPERATIONS ON THE FIRST OF JULY, AND SHALL NOT CEASE OPERATIONS BEFORE THE THIRTIETH OF JUNE IN ANY SCHOOL YEAR.

S 1922. STATE AID FOR REGIONAL SECONDARY SCHOOLS. 1. STUDENTS ATTENDING A REGIONAL SECONDARY SCHOOL SHALL BE DEEMED ENROLLED IN THEIR SCHOOL DISTRICT OF RESIDENCE AND SHALL BE INCLUDED IN THE APPLICABLE MEMBERSHIP, ENROLLMENT AND ATTENDANCE COUNTS OF THEIR RESPECTIVE SCHOOL DISTRICTS OF RESIDENCE FOR PURPOSES OF COMPUTATION OF STATE AID TO SUCH SCHOOL DISTRICTS. THE COSTS OF EDUCATING EACH SUCH STUDENT SHALL BE INCLUDED IN THE APPROVED OPERATING EXPENSE OF THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE AND EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE STATE AID ATTRIBUTABLE TO SUCH STUDENT SHALL BE COMPUTED IN THE SAME MANNER AS AID ATTRIBUTABLE TO OTHER RESIDENT STUDENTS AND SHALL BE PAYABLE TO THE SCHOOL DISTRICT OF RESIDENCE.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE SCHOOL DISTRICT THAT OWNS THE FACILITY USED TO HOUSE THE REGIONAL SECONDARY SCHOOL SHALL BE THE ONLY SCHOOL DISTRICT ELIGIBLE FOR BUILDING AID PURSUANT TO THE APPLICABLE PROVISIONS OF SUBDIVISION SIX, SIX-A, SIX-C, SIX-E OR SIX-F OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER FOR PROJECTS INVOLVING THE REGIONAL SECONDARY SCHOOL THAT ARE APPROVED BY THE QUALIFIED VOTERS OF SUCH DISTRICT AFTER ESTABLISHMENT OF THE REGIONAL SECONDARY SCHOOL, PROVIDED THAT SUCH AID SHALL BE COMPUTED USING THE BUILDING AID RATIO APPLICABLE TO PROJECTS OF THE SCHOOL DISTRICT THAT OWNS THE REGIONAL SECONDARY SCHOOL FACILITY UNDER THE PROVISIONS OF PARAGRAPHS B AND C OF SUBDIVISION SIX OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER. SUCH AID SHALL BE PAID TO SUCH SCHOOL DISTRICT OR TO THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES ON

BEHALF OF SUCH SCHOOL DISTRICT WHERE THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OPERATES THE REGIONAL SECONDARY SCHOOL. THE SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL ALLOCATE THE LOCAL SHARE OF THE COSTS OF SUCH PROJECTS TO THE PARTICIPATING SCHOOL DISTRICTS IN ACCORDANCE WITH ITS CONTRACT ENTERED INTO PURSUANT TO SECTION NINETEEN HUNDRED TWENTY OR NINETEEN HUNDRED TWENTY-ONE OF THIS ARTICLE. THE COSTS OF SUCH PROJECTS SHALL NOT BE ELIGIBLE FOR AID PURSUANT TO SUBDIVISION SIX-B OR PARAGRAPH C OF SUBDIVISION FOURTEEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER.

3. NOTWITHSTANDING ANY PROVISION OF SECTION NINETEEN HUNDRED FIFTY OR NINETEEN HUNDRED FIFTY-ONE OF THIS TITLE TO THE CONTRARY, IN THE CASE OF A REGIONAL SECONDARY SCHOOL OPERATED BY A BOARD OF COOPERATIVE EDUCATIONAL SERVICES THAT IS HOUSED IN A FACILITY OWNED BY A PARTICIPATING SCHOOL DISTRICT, THE CAPITAL EXPENSES FOR BUILDING PROJECTS INVOLVING THE REGIONAL SECONDARY SCHOOL SHALL BE A CHARGE UPON THE PARTICIPATING SCHOOL DISTRICTS ONLY, AND SUCH COSTS SHALL NOT BE ALLOCATED TO OTHER COMPONENT SCHOOL DISTRICTS. SUCH CAPITAL EXPENSES SHALL NOT BE ELIGIBLE FOR AID PURSUANT TO SUBDIVISION FIVE OF SECTION NINETEEN HUNDRED FIFTY OF THIS TITLE. PROVIDED, HOWEVER, THAT COSTS OF AIDABLE SHARED SERVICES PROVIDED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES TO SUPPLEMENT THE PROGRAMS OF THE REGIONAL SECONDARY SCHOOL SHALL BE ELIGIBLE FOR AID PURSUANT TO SUCH SUBDIVISION FIVE OF SECTION NINETEEN HUNDRED FIFTY, THE ADMINISTRATIVE EXPENSES ATTRIBUTABLE TO THE REGIONAL SECONDARY SCHOOL AND THE CAPITAL EXPENSES ATTRIBUTABLE TO A REGIONAL SECONDARY SCHOOL HOUSED IN A FACILITY OWNED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL BE ALLOCATED TO COMPONENT SCHOOL DISTRICTS IN ACCORDANCE WITH SECTION NINETEEN HUNDRED FIFTY OR NINETEEN HUNDRED FIFTY-ONE OF THIS TITLE AND SHALL BE ELIGIBLE FOR AID PURSUANT TO SUCH SUBDIVISION FIVE OF SECTION NINETEEN HUNDRED FIFTY.

4. THE BOARD OF EDUCATION OF EACH SCHOOL DISTRICT PARTICIPATING IN A REGIONAL SECONDARY SCHOOL PURSUANT TO THIS ARTICLE SHALL BE ELIGIBLE FOR ADDITIONAL STATE AID PURSUANT TO SUBDIVISION FOURTEEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER IN THE SAME MANNER AND TO THE SAME EXTENT AS A SCHOOL DISTRICT WHICH QUALIFIES FOR SUCH AID PURSUANT TO PARAGRAPH J OF SUBDIVISION FOURTEEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER; PROVIDED FURTHER THAT SUCH DISTRICT SHALL BE ELIGIBLE TO RECEIVE AN ADDITIONAL APPORTIONMENT EQUAL TO TWENTY-FIVE PERCENT OF SUCH APPORTIONMENT COMPUTED PURSUANT TO SUBDIVISION FOURTEEN OF SECTION THIRTY-SIX HUNDRED TWO OF THIS CHAPTER UPON MEETING ACADEMIC ACHIEVEMENT GOALS AS ESTABLISHED BY THE COMMISSIONER IN ACCORDANCE WITH A METHODOLOGY PRESCRIBED IN THE REGULATIONS OF THE COMMISSIONER. IN NO CASE SHALL THE SUM OF SUCH APPORTIONMENTS UNDER THIS PARAGRAPH PLUS THE SELECTED OPERATING AID PER PUPIL BE MORE THAN A TOTAL OF NINETY-FIVE PER CENTUM OF THE YEAR PRIOR TO THE BASE YEAR APPROVED OPERATING EXPENSE.

S 1923. REGIONAL SECONDARY SCHOOL ADVISORY COMMITTEE. 1. EACH REGIONAL SECONDARY SCHOOL ESTABLISHED AND OPERATED PURSUANT TO THIS ARTICLE SHALL ESTABLISH AN ADVISORY COMMITTEE. THE ADVISORY COMMITTEE SHALL BE COMPOSED OF THE PRESIDENT OF THE BOARD OF EDUCATION OF EACH PARTICIPATING SCHOOL DISTRICT, THE PRESIDENT OF THE BOARD OF EDUCATION OF EACH SUPERVISORY BOARD OF COOPERATIVE EDUCATIONAL SERVICES, WHERE APPLICABLE, AND THE SUPERINTENDENT OF EACH PARTICIPATING SCHOOL DISTRICT AND THE SUPERINTENDENT OF THE SUPERVISORY DISTRICT IN WHICH THE REGIONAL SECONDARY SCHOOL IS LOCATED. THE SUPERINTENDENT OF THE SUPERVISORY DISTRICT SHALL BE THE CHAIR OF THE ADVISORY COMMITTEE.

2. THE ADVISORY COMMITTEE SHALL CONVENE, AT THE CALL OF THE CHAIR, NOT LESS THAN FOUR TIMES DURING EACH SCHOOL YEAR DURING WHICH THE REGIONAL

SECONDARY SCHOOL OPERATES. DURING SUCH MEETINGS, THE ADVISORY COMMITTEE SHALL REVIEW THE OPERATION OF THE REGIONAL SECONDARY SCHOOL AND MAKE RECOMMENDATIONS TO THE HOSTING DISTRICT OR THE SUPERVISORY BOARD OF COOPERATIVE EDUCATIONAL SERVICES, AS THE CASE MAY BE, ON THE CONTINUED OPERATION OF SUCH SECONDARY SCHOOL.

S 1924. APPLICABILITY. THE PROVISIONS OF THIS ARTICLE SHALL ONLY BE APPLICABLE IN COUNTIES WITH A POPULATION OF ONE MILLION FOUR HUNDRED THOUSAND INHABITANTS OR MORE ACCORDING TO THE 2010 DECENNIAL CENSUS, EXCLUDING COUNTIES LOCATED WITHIN A CITY WITH A POPULATION OF ONE MILLION INHABITANTS OR MORE.

S 3. Subdivision 4 of section 1950 of the education law is amended by adding a new paragraph oo to read as follows:

OO. PURSUANT TO ARTICLE THIRTY-NINE-A OF THIS TITLE, A BOARD OF COOPERATIVE EDUCATIONAL SERVICES MAY ENTER INTO AN AGREEMENT WITH TWO OR MORE SCHOOL DISTRICTS ELIGIBLE TO ENTER SUCH AN AGREEMENT IN ACCORDANCE WITH SECTION NINETEEN HUNDRED TWENTY-ONE OF THIS TITLE, WHICH MAY INCLUDE CENTRAL SCHOOL DISTRICTS, CENTRAL HIGH SCHOOL DISTRICTS, UNION FREE SCHOOL DISTRICTS, AND/OR COMMON SCHOOL DISTRICTS WHICH ARE WHOLLY CONTAINED WITHIN THE SUPERVISORY DISTRICT OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES, TO FORM A REGIONAL SECONDARY SCHOOL TO BE OPERATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES. THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL HAVE THE SAME POWERS AND DUTIES WITH RESPECT TO SUCH REGIONAL SECONDARY SCHOOL AS THE BOARD OF EDUCATION OF A UNION FREE SCHOOL DISTRICT HAS WITH RESECT TO ITS SCHOOLS, CONSISTENT WITH THE TERMS OF ITS AGREEMENT WITH THE PARTICIPATING SCHOOL DISTRICTS.

S 4. Paragraph h of subdivision 4 of section 1950 of the education law is amended by adding three new subparagraphs 12, 13 and 14 to read as follows:

(12) TO ENTER INTO CONTRACTS AS NECESSARY OR CONVENIENT TO OPERATE A REGIONAL SECONDARY SCHOOL AS ESTABLISHED PURSUANT TO THE PROVISIONS OF SECTION NINETEEN HUNDRED TWENTY-ONE OF THIS TITLE.

(13) TO DEVELOP CORE CURRICULUM FOR STUDENTS ATTENDING A REGIONAL SECONDARY SCHOOL ESTABLISHED PURSUANT TO THE PROVISIONS OF SECTION NINETEEN HUNDRED TWENTY-ONE OF THIS TITLE.

(14) TO ISSUE REGENTS AND OTHER HIGH SCHOOL DIPLOMAS TO STUDENTS WHO GRADUATE FROM A REGIONAL SECONDARY SCHOOL ESTABLISHED PURSUANT TO THE PROVISIONS OF SECTION NINETEEN HUNDRED TWENTY-ONE OF THIS TITLE, UNDER THE SAME CONDITIONS AS A SCHOOL DISTRICT.

S 5. Paragraph b of subdivision 4 of section 1950 of the education law is amended by adding a new subparagraph 8 to read as follows:

(8) FOR REGIONAL SECONDARY SCHOOLS ESTABLISHED PURSUANT TO SECTION NINETEEN HUNDRED TWENTY-ONE OF THIS TITLE, THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL PREPARE AND PROPOSE A TENTATIVE BUDGET OF EXPENDITURES FOR PROGRAM, ADMINISTRATIVE AND CAPITAL COSTS TO OPERATE THE REGIONAL SECONDARY SCHOOL IN THE ENSUING SCHOOL YEAR. SUCH PROPOSED BUDGET SHALL BE PROVIDED TO THE BOARD OF EDUCATION OF EACH PARTICIPATING SCHOOL DISTRICT OF THE REGIONAL SECONDARY SCHOOL, BY THE DATE PROVIDED IN THE AGREEMENT ENTERED INTO PURSUANT TO SUCH SECTION NINETEEN HUNDRED TWENTY-ONE. THE BOARD OF EDUCATION OF EACH PARTICIPATING SCHOOL DISTRICT SHALL BE AFFORDED AN OPPORTUNITY TO REVIEW AND COMMENT ON THE PROPOSED BUDGET PRIOR TO ITS FINAL ADOPTION BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES.

S 6. This act shall take effect July 1, 2015, provided that if this act becomes a law after such date, it shall take effect immediately and be deemed to have been in full force and effect on and after July 1, 2015.