

STATE OF NEW YORK

7790

IN SENATE

February 23, 2018

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

AN ACT to amend the education law, in relation to providing for security hardware and software safety technology

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph c of subdivision 2 of section 753 of the educa-
2 tion law, as added by section 7-a of part B of chapter 57 of the laws of
3 2007, is amended to read as follows:

4 c. "Technology equipment", for the purposes of this article, shall
5 mean (1) equipment with a useful life used in conjunction with or in
6 support of educational programs including but not limited to video,
7 solar energy, robotic, satellite, laser and such other equipment as the
8 commissioner shall approve or, (2) security and safety hardware technol-
9 ogy provided that expenses for the purchase or lease of such equipment
10 shall not be eligible for aid under any other provisions of this chap-
11 ter.

12 § 2. Subdivisions 1 and 2 of section 751 of the education law, subdivi-
13 sion 1 as added by chapter 53 of the laws of 1984 and subdivision 2 as
14 amended by section 3 of part A-1 of chapter 58 of the laws of 2011, are
15 amended to read as follows:

16 1. In the several cities and school districts of the state, boards of
17 education, trustees or such body or officers as perform the functions of
18 such boards, shall designate software programs to be used in conjunction
19 with computers of the school district or in conjunction with security
20 and safety technology platforms.

21 2. A software program, for the purposes of this article shall mean (a)
22 a computer program which a pupil is required to use as a learning aid in
23 a particular class in the school the pupil legally attends, or (b) for
24 expenses incurred after July first, two thousand nine, any content-based
25 instructional materials in an electronic format that are aligned with
26 state standards which are accessed or delivered through the internet
27 based on a subscription model. Such electronic format materials may
28 include a variety of media assets and learning tools, including video,

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

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1 audio, images, teacher guides, and student access capabilities as such
2 terms are defined in the regulations of the commissioner. For expenses
3 incurred on or after July first, two thousand eleven, a software program
4 shall also mean security and safety software technology including items
5 of expenditure that are eligible for an apportionment pursuant to
6 sections seven hundred one, seven hundred eleven and/or seven hundred
7 fifty-three of this title, where such items are designated by the school
8 district as eligible for aid pursuant to this section, provided, howev-
9 er, that if aided pursuant to this section, such expenses shall not be
10 aidable pursuant to any other section of law.

11 § 3. Subdivision 6-c of section 3602 of the education law, as amended
12 by chapter 1 of the laws of 2013, paragraph b as amended by section 23
13 of part YYY of chapter 59 of the laws of 2017, is amended to read as
14 follows:

15 6-c. a. Building aid for metal detectors, security hardware and soft-
16 ware safety technology, and safety devices for electrically operated
17 partitions, room dividers and doors. In addition to the apportionments
18 payable to a school district pursuant to subdivision six of this
19 section, the commissioner is hereby authorized to apportion to any
20 school district additional building aid pursuant to this subdivision for
21 its approved expenditures in the base year for the purchase of station-
22 ary metal detectors, security cameras, security hardware and software
23 safety technology, and safety devices for electrically operated parti-
24 tions and room dividers required pursuant to section four hundred nine-f
25 of this chapter, or other security devices approved by the commissioner
26 that increase the safety of students and school personnel, provided,
27 however, that funds apportioned to school districts pursuant to this
28 section shall not supplant funds for existing district expenditures or
29 for existing contractual obligations of the district for stationary
30 metal detectors, security cameras, security hardware and software safety
31 technology, and partition and room divider safety devices, or security
32 devices. Portable or hand held metal detectors shall not be eligible
33 for aid pursuant to this subdivision. Such additional aid shall equal
34 the product of the building aid ratio computed for use in the current
35 year pursuant to paragraph c of subdivision six of this section and the
36 actual approved expenditures incurred in the base year pursuant to this
37 subdivision, provided that the limitations on cost allowances prescribed
38 by paragraph a of subdivision six of this section shall not apply. The
39 commissioner shall annually prescribe a special cost allowance for metal
40 detectors, and security cameras, and the approved expenditures shall not
41 exceed such cost allowance. The commissioner shall annually prescribe a
42 special cost allowance for partition and room divider safety devices,
43 and the approved expenditures shall not exceed such cost allowance.

44 b. For projects approved by the commissioner authorized to receive
45 additional building aid pursuant to this subdivision for the purchase of
46 stationary metal detectors, security cameras or other security devices
47 approved by the commissioner that increase the safety of students and
48 school personnel, provided that for purposes of this paragraph such
49 other security devices shall be limited to electronic security systems
50 and hardened doors, and provided that for projects approved by the
51 commissioner on or after the first day of July two thousand thirteen
52 [~~and before the first day of July two thousand eighteen~~] and thereafter
53 such additional aid shall equal the product of (i) the building aid
54 ratio computed for use in the current year pursuant to paragraph c of
55 subdivision six of this section plus ten percentage points, except that
56 in no case shall this amount exceed one hundred percent, and (ii) the

1 actual approved expenditures incurred in the base year pursuant to this
2 subdivision, provided that the limitations on cost allowances prescribed
3 by paragraph a of subdivision six of this section shall not apply, and
4 provided further that any projects aided under this paragraph must be
5 included in a district's school safety plan. The commissioner shall
6 annually prescribe a special cost allowance for metal detectors, and
7 security cameras, and the approved expenditures shall not exceed such
8 cost allowance.

9 § 4. This act shall take effect immediately.