

STATE OF NEW YORK

S. 4823--A

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2017-2018 Regular Sessions

SENATE - ASSEMBLY

March 2, 2017

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. THIELE, DiPIETRO -- 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 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

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

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1 resultant cost savings will allow money to flow into educational
2 programs and services for students which will, in turn, help to improve
3 student performance and meet college and career readiness.

4 This legislation would establish a pilot program authorizing the
5 establishment of regional secondary schools in any county with a popu-
6 lation in excess of one million four hundred thousand inhabitants
7 according to the 2010 decennial census, excluding counties located with-
8 in a city with a population of one million inhabitants or more. This
9 pilot program will help to determine the efficacy of the regional
10 secondary schools in providing greater educational opportunities for
11 less cost. If this pilot program of regional secondary schools is
12 successful, the concept could then be expanded statewide.

13 § 2. The education law is amended by adding a new article 39-A to read
14 as follows:

15 ARTICLE 39-A
16 REGIONAL SECONDARY SCHOOLS

17 Section 1920. Establishment of a regional secondary school operated by a
18 board of education.

19 1921. Establishment of a regional secondary school operated by a
20 board of cooperative educational services.

21 1922. State aid for regional secondary schools.

22 1923. Regional secondary school advisory committee.

23 1924. Applicability.

24 § 1920. Establishment of a regional secondary school operated by a
25 board of education. 1. Notwithstanding any other provision of law to the
26 contrary, for purposes of this article, a regional secondary school
27 shall mean a high school with grades six, seven and/or eight as agreed
28 upon by each of the participating districts consistent with the grade
29 configuration of the new secondary school or schools.

30 2. A regional secondary school may be established pursuant to this
31 section by agreement of the boards of education of two or more central
32 school districts, union free school districts and/or common school
33 districts that are wholly contained within the supervisory district of a
34 board of cooperative educational services, subject to the approval of
35 the voters of each participating district. Provided, however, that a
36 component school district of a central high school district and a
37 special act school district, as defined in section four thousand one of
38 this chapter, shall not be authorized to participate in a regional
39 secondary school. A central high school district, subject to approval of
40 its voters, also may enter into an agreement with school districts other
41 than its component school districts that are wholly contained within the
42 supervisory district of a board of cooperative educational services to
43 establish a regional secondary school. Such regional secondary school
44 shall serve all of the students in each of the participating districts
45 in grades nine through twelve and may also serve students in grades six,
46 seven and/or eight as agreed upon by each of the participating districts
47 consistent with the grade configuration of the new secondary school or
48 schools, provided that each participating district shall cease district
49 operation of its high school, if the participating school district oper-
50 ates a high school. The regional secondary school may be operated by one
51 of the participating school districts upon the agreement of the other
52 participating districts, and such district shall assume the responsibil-
53 ity to operate, supervise and maintain the regional secondary school and
54 the administration of such secondary school. For purposes of this arti-

1 cle, the school district designated as the operating district shall be
2 referred to as the hosting district. Alternatively, the regional
3 secondary school may be operated by a joint board of education estab-
4 lished pursuant to this section. The establishment of a regional second-
5 ary school shall be subject to the approval of the commissioner, in a
6 manner and timeframe, as set forth within this section. School districts
7 participating in a regional secondary school need not be geographically
8 contiguous.

9 3. To establish a regional secondary school, two or more participating
10 school districts must initially adopt, by majority vote of the board of
11 education of each participating district, a resolution proposing the
12 establishment of such regional secondary school. The resolution shall
13 indicate the proposed participating school districts and whether the
14 school would be governed by a proposed hosting district or a joint board
15 of education and the proposed term of the contract governing the
16 regional secondary school. The resolution shall be voted on by each
17 board at a meeting held no later than October first of the school year
18 prior to the school year in which the regional secondary school is
19 proposed to commence operation. If two or more school districts adopt
20 such a resolution, the resolution shall be presented in a referendum for
21 voter approval in each of the proposed participating districts. Upon
22 approval by the voters in each of the proposed participating school
23 districts, the participating school districts shall collectively enter
24 into a contract for the establishment of a regional secondary school. In
25 the event the voters do not approve such resolution, the resolution may
26 be presented for one re-vote in the proposed participating districts;
27 or, if the boards of education of one or more such districts vote to
28 rescind their resolution to participate in the regional secondary
29 school, one additional vote may be held in each of the remaining
30 proposed participating districts. In no event may more than two votes be
31 held in any proposed participating district in any school year.

32 4. With the consent of each of the participating boards of education
33 and approval of the commissioner, additional school districts otherwise
34 eligible to establish the regional secondary school may join the
35 regional secondary school in the second or a subsequent year of opera-
36 tion by adopting a board resolution and obtaining voter approval
37 substantially in the manner prescribed in subdivision two of this
38 section.

39 5. (a) Upon receipt of voter approval in each of the participating
40 school districts, such districts shall submit the proposed contract,
41 together with the plan of formation and operation of the regional
42 secondary school, to the commissioner for his or her approval, in a time
43 and manner prescribed by the commissioner. Such contract shall be an
44 intermunicipal sharing agreement pursuant to article five-G of the
45 general municipal law that complies with the requirements of this
46 section.

47 (b) The regional secondary school and the proposed contract shall meet
48 the following requirements:

49 (i) the contract shall specify its term, which shall not be less than
50 five nor more than seven school years, and shall either designate the
51 board of education of the hosting district as the governing board that
52 will operate the regional secondary school on behalf of all participat-
53 ing districts, or the joint board of education that will serve as
54 governing board for the regional secondary school. The governing board
55 shall have responsibility for the operation, supervision and maintenance
56 of the regional secondary school and shall be responsible for the admin-

1 istration of the school, including the curriculum, grading, staffing and
2 the issuance of diplomas for all students that attend the regional
3 secondary school, as shall be designated in the contract. Provided,
4 however, that the contract may provide for issuance of the diploma by
5 the student's school district of residence upon certification by the
6 governing board that all graduation requirements of the regional second-
7 ary school have been met. The regional secondary school shall be deemed
8 a school of the governing board for accountability purposes;

9 (ii) the contract shall provide the name of the school, which shall be
10 subject to the commissioner's approval, the grades of instruction
11 intended to be served by the regional secondary school, and designate
12 the site of the regional secondary school, which shall be within the
13 boundaries of one of the participating districts and where possible,
14 should use existing buildings and/or infrastructure;

15 (iii) notwithstanding any other provision of law to the contrary, the
16 contract shall provide that each participating school district shall be
17 responsible for providing or arranging for transportation to its resi-
18 dent students attending the regional secondary school in accordance with
19 its school district policy, but without regard to any maximum mileage
20 limitation. Such transportation may be provided by contract, including
21 but not limited to a contract with one or more participating districts
22 or a board of cooperative educational services;

23 (iv) the contract shall specify that the students of each participat-
24 ing school district shall remain enrolled as students of their respec-
25 tive participating school districts, and they shall be treated and
26 counted as such for purposes of all state aid calculations pursuant to
27 this chapter;

28 (v) the contract shall either designate the board of education of the
29 hosting district to serve as the governing board of the regional second-
30 ary school or shall provide for the establishment of a new joint board
31 of education for the regional secondary school with at least five
32 members, with representatives appointed by each participating district.
33 The contract shall specify the number, term, and procedures for appoint-
34 ment of joint board members. If the districts choose to create a new
35 joint board of education, the board shall have the same powers and
36 duties with respect to the regional secondary school as a board of
37 education of a union free school district has with respect to its
38 schools under this chapter, except as modified by the terms of the
39 contract;

40 (vi) the contract shall specify the current enrollment of all partic-
41 ipating school districts and the projected total enrollment numbers of
42 the regional secondary school;

43 (vii) the contract must demonstrate how the regional secondary school
44 will provide increased educational opportunities, including courses and
45 programs in science, technology, engineering and math, to prepare
46 students for college and career readiness and improve student perform-
47 ance;

48 (viii) all teachers, teaching assistants and teacher aides of the
49 participating school districts, whose services in the participating
50 school districts are no longer needed because of the establishment of a
51 regional secondary school or the transfer of students to an existing
52 regional secondary school, as a result of a new participating school
53 district joining the regional secondary school shall immediately become
54 employees of the governing board designated in the contract, and shall
55 retain their tenure and/or employment status and the seniority gained in
56 the participating district. If the number of teaching, teaching assist-

1 ant or teacher aide positions needed to provide the educational services
2 required by a regional secondary school is less than the number of
3 teachers, teaching assistants, and teacher aides eligible to be consid-
4 ered employees of the designated governing board of such regional
5 secondary school pursuant to this paragraph, the services of the teach-
6 ers, teaching assistants and teacher aides having the least seniority in
7 the participating school district within the tenure area or civil
8 service status, as the case may be, of the position shall be discontin-
9 ued. Any such employees who are teachers, teaching assistants or teacher
10 aides shall be placed on a preferred eligible list of candidates for
11 appointment to a vacancy that may thereafter occur in an office or posi-
12 tion under the jurisdiction of the participating school district in
13 accordance with the provisions of section twenty-five hundred ten or
14 three thousand thirteen of this chapter. For any such teacher, teaching
15 assistant or teacher aide who is retained by the governing board, for
16 salary, sick leave and any other purposes, the length of service credit-
17 ed in such participating school district prior to its participation in
18 the regional secondary school shall be credited as employment time with
19 the designated governing board;

20 (ix) upon termination of the contract pursuant to this section and the
21 return of students from the regional secondary school to the former
22 participating school district, the teachers, teaching assistants, and
23 teacher aides employed by the governing board to serve in the regional
24 secondary school shall have the same employment rights in the partic-
25 ipating school districts as teachers would have upon takeover of a board
26 of cooperative educational services program by such school districts
27 pursuant to section three thousand fourteen-b of this chapter;

28 (x) the contract shall specify the process for development of the
29 budget for the regional secondary school by the designated governing
30 board and how operating and administrative costs and the local share of
31 capital expenses attributable to the regional secondary school will be
32 allocated among the participating districts;

33 (xi) the contract shall specify the costs of the regional secondary
34 school, staffing, current and future capital construction plans and for
35 the delivery of special education programs;

36 (xii) the contract shall specify the procedures for discipline of
37 students attending the regional secondary school, including the applica-
38 ble code of conduct provided that such code of conduct meets the
39 requirements of section twenty-eight hundred one of this title and
40 procedures for superintendents' hearings and appeals to the board of
41 education pursuant to section thirty-two hundred fourteen of this chap-
42 ter;

43 (xiii) the contract shall specify the costs of the operation of the
44 regional secondary school for each participating school district and an
45 itemized listing of the cost savings for each participating school
46 district;

47 (xiv) the contract shall specify how extra-curricular activities and
48 interscholastic athletics will be provided to students of the regional
49 secondary school;

50 (xv) the contract shall specify the fiscal implications of the
51 regional secondary school including expected state aid and expected
52 changes in expenditures and property tax levies;

53 (xvi) the contract shall specify whether the employees of the regional
54 secondary school shall establish new employee organizations, pursuant to
55 article fourteen of the civil service law, for their representation, or,
56 where applicable, whether they shall become members of the applicable

1 employee organizations representing the employees of the hosting
2 district; and

3 (xvii) the contract shall set forth any other information or analysis
4 as may be required by the regulations of the commissioner.

5 6. If the commissioner approves the proposed contract, the regional
6 secondary school shall be established. The contract shall be for a peri-
7 od of at least five and not more than seven school years and, with the
8 approval of the commissioner, may be renewed by mutual agreement of the
9 boards of education of the participating districts. The regional second-
10 ary school shall commence operations on the first of July, and shall not
11 cease operations before the thirtieth of June in any school year.

12 § 1921. Establishment of a regional secondary school operated by a
13 board of cooperative educational services. 1. Notwithstanding any other
14 provision of law to the contrary, for purposes of this article, a
15 regional secondary school shall mean a high school with grades six,
16 seven and/or eight as agreed upon by each of the participating districts
17 consistent with the grade configuration of the new secondary school or
18 schools.

19 2. A regional secondary school may be established pursuant to this
20 section by agreement of a board of cooperative educational services and
21 the boards of education of two or more central school districts, union
22 free school districts and/or common school districts that are wholly
23 contained within the supervisory district of the board of cooperative
24 educational services, subject to the approval of the voters of the
25 participating districts. Provided, however, that a component school
26 district of a central high school district and a special act school
27 district, as defined in section four thousand one of this chapter, shall
28 not be authorized to participate in a regional secondary school. A
29 central high school district, subject to approval of its voters, also
30 may enter into an agreement with the board of cooperative educational
31 services and school districts other than its component school districts
32 that are wholly contained within the supervisory district of the board
33 of cooperative educational services to establish a regional secondary
34 school. Such regional secondary school shall serve all of the students
35 in each of the participating districts in grades nine through twelve and
36 may also serve students in grades six, seven and/or eight as agreed upon
37 by each of the participating districts consistent with the grade config-
38 uration of the new secondary school or schools, provided that each
39 participating school district shall cease district operation of its high
40 school, if said participating district operates a high school. The
41 regional secondary school shall be operated by the board of cooperative
42 educational services, which shall assume the responsibility to operate,
43 supervise and maintain the regional secondary school and the adminis-
44 tration of such secondary school. The establishment of a regional
45 secondary school shall be subject to the approval of the commissioner,
46 in a manner and timeframe, as set forth within this section. School
47 districts participating in a regional secondary school need not be
48 geographically contiguous.

49 3. To establish a regional secondary school, two or more participating
50 school districts and the board of cooperative educational services must
51 initially adopt, by a majority vote of the board of education of each
52 participating district and the board of cooperative educational
53 services, a resolution proposing the establishment of such regional
54 secondary school. The resolution shall indicate that the board of coop-
55 erative educational services will operate the regional secondary school
56 on behalf of the participating districts and specify the participating

1 school districts and the proposed term of the contract governing the
2 regional secondary school. The resolution shall be voted on by each
3 board at a meeting held no later than October first of the school year
4 prior to the school year in which the regional secondary school is
5 proposed to commence operation. If two or more school districts and the
6 board of cooperative educational services adopt such a resolution, the
7 resolution must then be presented in a referendum for voter approval in
8 each of the proposed participating districts. Upon approval by the
9 voters in each of the participating districts, the participating school
10 districts and the board of cooperative educational services shall
11 collectively enter into a contract for the establishment of a regional
12 secondary school. In the event the voters do not approve such resolu-
13 tion, the resolution may be presented for one re-vote; or, if the
14 boards of education of one or more such districts vote to rescind their
15 resolution to participate in the regional secondary school, one addi-
16 tional vote may be held in each of the remaining proposed participating
17 districts. In no event may more than two votes be held in any proposed
18 participating district in any school year.

19 4. With the consent of each of the participating boards of education
20 and the board of cooperative educational services and approval of the
21 commissioner, additional school districts otherwise eligible to estab-
22 lish the regional secondary school may join the regional secondary
23 school in the second or subsequent year of operation by adopting a board
24 resolution and obtaining voter approval substantially in the manner
25 prescribed in subdivision two of this section.

26 5. (a) Upon receipt of voter approval, the proposed contract, together
27 with the plan of formation and operation of the regional secondary
28 school, shall be submitted to the commissioner for his or her approval,
29 in a time and manner prescribed by the commissioner. Such contract shall
30 be an inter-municipal sharing agreement pursuant to article five-G of
31 the general municipal law that complies with the requirements of this
32 section.

33 (b) The regional secondary school and the proposed contract shall meet
34 the following requirements:

35 (i) the contract shall specify its term, which shall not be less than
36 five nor more than seven school years, and shall provide that the board
37 of cooperative educational services will operate the regional secondary
38 school on behalf of all participating districts. The board of cooper-
39 ative educational services shall serve as the governing body for the
40 regional secondary school and shall have responsibility for the opera-
41 tion, supervision and maintenance of the regional secondary school and
42 shall be responsible for the administration of such school, including
43 grading and the issuance of diplomas for all students that attend the
44 regional secondary school, as shall be designated in the contract.
45 Provided, however, that the contract may provide for issuance of the
46 diploma by the student's school district of residence upon certification
47 by the governing board that all graduation requirements of the regional
48 secondary school have been met. The board of cooperative educational
49 services shall also act as a school district for accountability
50 purposes;

51 (ii) the contract shall provide the name of the school, which shall be
52 subject to the commissioner's approval, the grades of instruction
53 intended to be served by the regional secondary school, and designate
54 the site of the regional secondary school, which shall be within the
55 boundaries of the supervisory district of the board of cooperative

1 educational services and where possible, should use existing buildings
2 and/or infrastructure;

3 (iii) notwithstanding any other provision of law, the contract shall
4 provide that each participating school district shall be responsible for
5 providing or arranging for transportation to its resident students
6 attending the regional secondary school in accordance with its school
7 district policy, but without regard to any maximum mileage limitation.
8 Such transportation may be provided by contract, including but not
9 limited to a contract with one or more participating districts or a
10 board of cooperative educational services;

11 (iv) the contract shall specify that the students of each participat-
12 ing school district shall remain enrolled as students of their respec-
13 tive participating school districts, and they shall be treated and
14 counted as such for purposes of all state aid calculations pursuant to
15 this chapter;

16 (v) the contract shall specify the current enrollment of all partic-
17 ipating school districts and the projected total enrollment numbers of
18 the regional secondary school;

19 (vi) the contract must demonstrate how the regional secondary school
20 will provide increased educational opportunities, including courses and
21 programs in science, technology, engineering and math, to prepare
22 students for college and career readiness and improve student perform-
23 ance;

24 (vii) all teachers, teaching assistants and teacher aides of the
25 participating school districts, whose services in the participating
26 school districts are no longer needed because of the establishment of a
27 regional secondary school or the transfer of students to an existing
28 regional secondary school as a result of a new participating school
29 district joining the regional secondary school, shall become employees
30 of the board of cooperative educational services, and shall retain their
31 tenure and/or employment status and the seniority gained in the partic-
32 ipating district. If the number of teaching, teaching assistant or
33 teacher aide positions needed to provide the educational services
34 required by a regional secondary school is less than the number of
35 teachers, teaching assistants or teacher aides eligible to be considered
36 employees of the board of cooperative educational services pursuant to
37 this subparagraph, the services of the teachers, teaching assistants or
38 teacher aides having the least seniority in the participating school
39 districts within the tenure area or civil service status, as the case
40 may be, of the position shall be discontinued. Any such employees who
41 are teachers, teaching assistants, or teachers aides shall have all the
42 employment rights specified in section three thousand fourteen-a of this
43 chapter.

44 (viii) upon termination of the contract pursuant to this section and
45 the return of students from the regional secondary school to the former
46 participating school district, the teachers, teaching assistants and
47 teacher aides employed by the board of cooperative educational services
48 to serve shall have the employment rights in the participating school
49 districts as specified in section three thousand fourteen-b of this
50 chapter;

51 (ix) the contract shall specify the process for development of the
52 budget for the regional secondary school by the board of cooperative
53 educational services consistent with subparagraph eight of paragraph b
54 of subdivision four of section nineteen hundred fifty of this title and
55 how operating and administrative costs and the local share of capital

1 expenses attributable to the regional secondary school will be allocated
2 among the participating districts;

3 (x) the contract shall specify the costs of the regional secondary
4 school, staffing, current and future capital construction plans, and the
5 delivery of special education programs;

6 (xi) the contract shall specify the cost of the operation of the
7 regional secondary school for each participating school district and an
8 itemized listing of the cost savings for each participating school
9 district;

10 (xii) the contract shall specify how extra-curricular activities and
11 interscholastic athletics will be provided to students of the regional
12 secondary school;

13 (xiii) the contract shall specify the procedures for discipline of
14 students attending the regional secondary school, including the applica-
15 ble code of conduct provided that such code of conduct meets the
16 requirements of section twenty-eight hundred one of this title and
17 procedures for superintendents' hearings and appeals to the board of
18 education pursuant to section thirty-two hundred fourteen of this chap-
19 ter;

20 (xiv) the contract shall specify whether the employees of the regional
21 secondary school shall establish new employee organizations, pursuant to
22 article fourteen of the civil service law, for their representation, or,
23 where applicable, whether they shall become members of the applicable
24 employee organizations representing the employees of the hosting
25 district;

26 (xv) the contract shall specify the fiscal implications of the
27 regional secondary school, including the current and expected state aid
28 and expected changes in expenditures and property tax levies; and

29 (xvi) the contract shall set forth any other information or analysis
30 as may be required by the regulations of the commissioner.

31 6. If the commissioner approves the proposed contract, the regional
32 secondary school shall be established. The contract shall not be for a
33 period of not less than five nor more than seven school years and, with
34 the approval of the commissioner, may be renewed by mutual agreement of
35 the boards of education of the participating districts and the supervi-
36 sory district of the board of cooperative educational services. The
37 regional secondary school shall commence operations on the first of
38 July, and shall not cease operations before the thirtieth of June in any
39 school year.

40 § 1922. State aid for regional secondary schools. 1. Students attend-
41 ing a regional secondary school shall be deemed enrolled in their school
42 district of residence and shall be included in the applicable member-
43 ship, enrollment and attendance counts of their respective school
44 districts of residence for purposes of computation of state aid to such
45 school districts. The costs of educating each such student shall be
46 included in the approved operating expense of the student's school
47 district of residence and except as otherwise provided in this section,
48 the state aid attributable to such student shall be computed in the same
49 manner as aid attributable to other resident students and shall be paya-
50 ble to the school district of residence.

51 2. Notwithstanding any other provision of law to the contrary, the
52 school district that owns the facility used to house the regional
53 secondary school shall be the only school district eligible for building
54 aid pursuant to the applicable provisions of subdivision six, six-a,
55 six-c, six-e or six-f of section thirty-six hundred two of this chapter
56 for projects involving the regional secondary school that are approved

1 by the qualified voters of such district after establishment of the
2 regional secondary school, provided that such aid shall be computed
3 using the building aid ratio applicable to projects of the school
4 district that owns the regional secondary school facility under the
5 provisions of paragraphs b and c of subdivision six of section thirty-
6 six hundred two of this chapter. Such aid shall be paid to such school
7 district or to the board of cooperative educational services on behalf
8 of such school district where the board of cooperative educational
9 services operates the regional secondary school. The school district or
10 board of cooperative educational services shall allocate the local share
11 of the costs of such projects to the participating school districts in
12 accordance with its contract entered into pursuant to section nineteen
13 hundred twenty or nineteen hundred twenty-one of this article. The costs
14 of such projects shall not be eligible for aid pursuant to subdivision
15 six-b or paragraph c of subdivision fourteen of section thirty-six
16 hundred two of this chapter.

17 3. Notwithstanding any provision of section nineteen hundred fifty or
18 nineteen hundred fifty-one of this title to the contrary, in the case of
19 a regional secondary school operated by a board of cooperative educa-
20 tional services that is housed in a facility owned by a participating
21 school district, the capital expenses for building projects involving
22 the regional secondary school shall be a charge upon the participating
23 school districts only, and such costs shall not be allocated to other
24 component school districts. Such capital expenses shall not be eligible
25 for aid pursuant to subdivision five of section nineteen hundred fifty
26 of this title. Provided, however, that costs of aidable shared services
27 provided by the board of cooperative educational services to supplement
28 the programs of the regional secondary school shall be eligible for aid
29 pursuant to such subdivision five of section nineteen hundred fifty, the
30 administrative expenses attributable to the regional secondary school
31 and the capital expenses attributable to a regional secondary school
32 housed in a facility owned by the board of cooperative educational
33 services shall be allocated to component school districts in accordance
34 with section nineteen hundred fifty or nineteen hundred fifty-one of
35 this title and shall be eligible for aid pursuant to such subdivision
36 five of section nineteen hundred fifty.

37 4. The board of education of each school district participating in a
38 regional secondary school pursuant to this article shall be eligible for
39 additional state aid pursuant to subdivision fourteen of section thir-
40 ty-six hundred two of this chapter in the same manner and to the same
41 extent as a school district which qualifies for such aid pursuant to
42 paragraph j of subdivision fourteen of section thirty-six hundred two of
43 this chapter; provided further that such district shall be eligible to
44 receive an additional apportionment equal to twenty-five percent of such
45 apportionment computed pursuant to subdivision fourteen of section thir-
46 ty-six hundred two of this chapter upon meeting academic achievement
47 goals as established by the commissioner in accordance with a methodol-
48 ogy prescribed in the regulations of the commissioner. In no case shall
49 the sum of such apportionments under this paragraph plus the selected
50 operating aid per pupil be more than a total of ninety-five per centum
51 of the year prior to the base year approved operating expense.

52 § 1923. Regional secondary school advisory committee. 1. Each regional
53 secondary school established and operated pursuant to this article shall
54 establish an advisory committee. The advisory committee shall be
55 composed of the president of the board of education of each participat-
56 ing school district, the president of the board of education of each

1 supervisory board of cooperative educational services, where applicable,
2 and the superintendent of each participating school district and the
3 superintendent of the supervisory district in which the regional second-
4 ary school is located. The superintendent of the supervisory district
5 shall be the chair of the advisory committee.

6 2. The advisory committee shall convene, at the call of the chair, not
7 less than four times during each school year during which the regional
8 secondary school operates. During such meetings, the advisory committee
9 shall review the operation of the regional secondary school and make
10 recommendations to the hosting district or the supervisory board of
11 cooperative educational services, as the case may be, on the continued
12 operation of such secondary school.

13 § 1924. Applicability. The provisions of this article shall only be
14 applicable in counties with a population of one million four hundred
15 thousand inhabitants or more according to the 2010 decennial census,
16 excluding counties located within a city with a population of one
17 million inhabitants or more.

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

20 oo. Pursuant to article thirty-nine-A of this title, a board of coop-
21 erative educational services may enter into an agreement with two or
22 more school districts eligible to enter such an agreement in accordance
23 with section nineteen hundred twenty-one of this title, which may
24 include central school districts, central high school districts, union
25 free school districts, and/or common school districts which are wholly
26 contained within the supervisory district of the board of cooperative
27 educational services, to form a regional secondary school to be operated
28 by the board of cooperative educational services. The board of cooper-
29 ative educational services shall have the same powers and duties with
30 respect to such regional secondary school as the board of education of a
31 union free school district has with respect to its schools, consistent
32 with the terms of its agreement with the participating school districts.

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

36 (12) To enter into contracts as necessary or convenient to operate a
37 regional secondary school as established pursuant to the provisions of
38 section nineteen hundred twenty-one of this title.

39 (13) To develop core curriculum for students attending a regional
40 secondary school established pursuant to the provisions of section nine-
41 teen hundred twenty-one of this title.

42 (14) To issue regents and other high school diplomas to students who
43 graduate from a regional secondary school established pursuant to the
44 provisions of section nineteen hundred twenty-one of this title, under
45 the same conditions as a school district.

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

48 (8) For regional secondary schools established pursuant to section
49 nineteen hundred twenty-one of this title, the board of cooperative
50 educational services shall prepare and propose a tentative budget of
51 expenditures for program, administrative and capital costs to operate
52 the regional secondary school in the ensuing school year. Such proposed
53 budget shall be provided to the board of education of each participating
54 school district of the regional secondary school, by the date provided
55 in the agreement entered into pursuant to such section nineteen hundred
56 twenty-one. The board of education of each participating school district

1 shall be afforded an opportunity to review and comment on the proposed
2 budget prior to its final adoption by the board of cooperative educa-
3 tional services.

4 § 6. This act shall take effect July 1, 2018, provided that if this
5 act becomes a law after such date, it shall take effect immediately and
6 be deemed to have been in full force and effect on and after July 1,
7 2018.