

# STATE OF NEW YORK

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S. 4823--A

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2017-2018 Regular Sessions

## SENATE - ASSEMBLY

March 2, 2017

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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.