

# STATE OF NEW YORK

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846--A

2017-2018 Regular Sessions

## IN SENATE

January 5, 2017

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Introduced by Sen. YOUNG -- 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

AN ACT to amend the education law, in relation to 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, rural districts, are threatened by  
4 a decline in educational opportunities and programs for their students.  
5 School districts are seeking new models of delivering services to  
6 students that are most cost-effective and efficient, in order to sustain  
7 or enhance the quality of services to maintain or expand the scope of  
8 services offered to students.  
9 The legislature recognizes that many secondary schools in the state  
10 are experiencing financial limitations that may impair their ability to  
11 offer students the same range or quality of courses that other secondary  
12 schools may provide. In order to ensure that these districts continue to  
13 offer their students advanced course work, districts should be afforded  
14 the opportunity to establish a regional secondary school.  
15 Under this new model of delivering services, districts will be able to  
16 streamline programs and services, increase resources and increase their  
17 purchasing power through shared services. These resultant cost savings  
18 will allow money to flow into educational programs and services for  
19 students which will, in turn, help to improve student performance and  
20 meet college and career readiness.  
21 § 2. The education law is amended by adding a new article 39-A to read  
22 as follows:

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

LBD06198-02-8

ARTICLE 39-A  
REGIONAL SECONDARY SCHOOLS

Section 1920. Definitions.

1921. Establishment of a regional secondary school operated by a board of education.

1922. Establishment of a regional secondary school operated by a board of cooperative educational services.

1923. State aid for regional secondary schools.

1924. Regional secondary school advisory committee.

§ 1920. Definitions. For purposes of this article, the following terms shall have the following meanings:

1. The term "regional secondary school" shall mean a secondary school established by participating districts within a region of New York state.

2. The term "secondary school" shall mean:

a. A high school containing grades nine through twelve;

b. A junior high school containing grades six through eight;

c. A combined junior/senior high school containing grades six through twelve;

d. A combined junior/senior high school containing grades seven through twelve; or

e. A combined junior/senior high school containing grades eight through twelve.

3. The term "region" shall mean the combined area of all the participating districts that establish a regional secondary school.

4. The term "participating district" shall mean an eligible school district whose board of education has adopted a resolution to establish a regional secondary school with one or more other eligible school districts.

5. The term "eligible school district" shall mean:

a. A city school district,

b. A central school district,

c. A union free school district, and/or

d. A common school district, which is eligible to establish a regional secondary school.

6. The term "hosting district" shall mean the participating district which hosts the regional secondary school.

7. The term "regional referendum" shall mean a referendum, presented simultaneously on the ballot of all the participating districts, and determined by a majority vote of the participating electors of the region collectively.

8. The term "proposed contract" shall mean the contract adopted by all the boards of education of the participating districts for the establishment and operation of the regional secondary school.

9. The term "governing board of the regional secondary school" shall mean the governing board of the regional secondary school as designated by the proposed contract.

§ 1921. Establishment of a regional secondary school operated by a board of education. 1. A regional secondary school may be established pursuant to this section.

2. A regional secondary school may be established by two or more eligible school districts.

3. The establishment of a regional secondary school shall be subject to the approval of the commissioner, in a manner and time frame, as set forth within this section.

4. A regional secondary school:

1 a. Shall be wholly contained within the supervisory district of a  
2 board of cooperative educational services, unless:

3 (i) Upon application of the boards of education seeking to establish a  
4 regional secondary school, the commissioner agrees to waive this  
5 requirement; or

6 (ii) The participating school district is a central high school  
7 district, which subject to approval of its voters, entered into an  
8 agreement with school districts other than its component school  
9 districts, that are wholly contained within the supervisory district of  
10 a board of cooperative educational services.

11 b. Shall not be a component school district of a central high school  
12 district, or a special act school district, as defined in section four  
13 thousand one of this chapter.

14 5. A regional secondary school shall serve all or some of the students  
15 in each of the participating districts in grades of a secondary school  
16 as determined by the agreement between the participating districts.

17 6. Upon the establishment of a regional secondary school, each partic-  
18 ipating district shall cease operation of at least one secondary school,  
19 except that the hosting district may continue to operate a secondary  
20 school as a regional secondary school, pursuant to the conditions of  
21 this article.

22 7. Pursuant to this section, the regional secondary school may be  
23 operated by:

24 a. One of the participating districts, constituting the hosting  
25 district, which shall assume the responsibility to operate, supervise  
26 and maintain the regional secondary school and the administration of  
27 such regional secondary school; or

28 b. A joint board of education established pursuant to this section.

29 8. a. To establish a regional secondary school, two or more partic-  
30 ipating school districts must initially adopt, by majority vote of the  
31 board of education of each participating district, a resolution propos-  
32 ing the establishment of the regional secondary school.

33 b. The resolution to establish a regional secondary school shall indi-  
34 cate:

35 (i) The proposed participating school districts;

36 (ii) Whether the school would be governed by a proposed hosting  
37 district or a joint board of education;

38 (iii) A listing of the grades that would be included in the regional  
39 secondary school;

40 (iv) The proposed location of the regional secondary school;

41 (v) The proposed term of the contract governing the regional secondary  
42 school.

43 c. The resolution to establish the regional secondary school shall be  
44 voted on by each board at a meeting held no later than October first of  
45 the school year prior to the school year in which the regional secondary  
46 school is proposed to commence operation.

47 9. a. If two or more school districts adopt such a resolution as  
48 provided in subdivision eight of this section, the resolution shall be  
49 presented in a regional referendum by means of a regional vote, before  
50 the electors of all of the proposed participating districts.

51 b. Approval of the regional referendum shall be upon a majority vote  
52 of the participating electors in the region encompassing all of the  
53 proposed participation districts.

54 c. In the event the voters do not approve the regional referendum, it  
55 may be presented for a re-vote, but in no event any more than two votes  
56 be held in any school year.

10. Upon the approval of the voters in the regional referendum, presented pursuant to subdivision nine of this section, the participating school districts shall collectively enter into a proposed contract for the establishment of a regional secondary school.

11. With the consent of each of the participating boards of education and approval of the commissioner, additional school districts, otherwise eligible to establish the regional secondary school, may join the regional secondary school in the second or a subsequent year of operation, by adopting a board resolution and obtaining voter approval upon a majority vote of the electors of such additional district.

12. a. Upon receipt of voter approval in the regional referendum held pursuant to subdivision nine of this section, the participating school districts shall adopt, by a majority vote of the boards of education of each participating school district, a proposed contract for the operation of the regional secondary school.

b. The proposed contract for the operation of the regional secondary school shall include the plan of formation and operation of the regional secondary school and shall be submitted to the commissioner for his or her approval, in a time and manner prescribed by the commissioner.

c. The proposed contract for the operation of the regional secondary school shall be an inter-municipal sharing agreement pursuant to article five-G of the general municipal law that complies with the requirements of this section.

13. The proposed contract for the operation of the regional secondary school, and the regional secondary school that would be established thereunder, shall meet the following requirements:

a. The proposed contract shall provide the name of the regional secondary school, which shall be subject to the commissioner's approval.

b. The term of the proposed contract shall be specified therein, and shall be for a term not less than five nor more than seven school years.

c. The proposed contract shall establish a governing board of the regional secondary school, that will operate the regional secondary school on behalf of all participating districts, as follows:

(i) The governing board of the regional secondary school shall be designated by the proposed contract to be either the board of education of the hosting district, or a joint board of education established by the participating districts.

(ii) In the event the proposed contract designates a joint board of education as the governing board of the regional secondary school:

(1) Such joint board shall consist of at least five members, with not less than one member appointed by the board of education of each participating school district, and with any remaining members being jointly appointed by the boards of education of the participating school districts collectively;

(2) The proposed contract, consistent with the provisions of this section, shall specify the number, term, and procedures for appointment of the joint board members; and

(3) The joint board shall have the same powers and duties with respect to the regional secondary school as a board of education of a union free school district has with respect to its schools under this chapter, except as modified by the terms of the proposed contract.

(iii) The governing board shall have responsibility for the operation, supervision and maintenance of the regional secondary school and shall be responsible for the administration of the school, including the curriculum, grading, staffing and the issuance of diplomas for all

1 students that attend the regional secondary school, as shall be desig-  
2 nated in the proposed contract.

3 (iv) The regional secondary school shall be deemed a school of the  
4 governing board for accountability purposes.

5 d. The proposed contract may provide that the student's school  
6 district of residence may issue the student's diploma, upon certif-  
7 ication by the governing board that all graduation requirements of the  
8 regional secondary school have been met.

9 e. The proposed contract shall designate the grades of instruction  
10 intended to be served by the regional secondary school.

11 f. The proposed contract shall designate the site of the regional  
12 secondary school, which shall be within the boundaries of one of the  
13 participating districts, and where possible, should use existing build-  
14 ings and/or infrastructure.

15 g. Notwithstanding any other provision of law to the contrary, the  
16 proposed contract shall provide that each participating school district  
17 shall be responsible for providing or arranging for transportation to  
18 its resident students attending the regional secondary school in accord-  
19 ance with its school district policy, but without regard to any maximum  
20 mileage limitation.

21 h. The proposed contract may provide that student transportation may  
22 be provided by contract for transportation services, including but not  
23 limited to a contract with one or more participating districts or a  
24 board of cooperative educational services.

25 i. The proposed contract shall specify:

26 (i) That the students of each participating school district shall  
27 remain enrolled as students of their respective participating school  
28 districts;

29 (ii) That the students shall be treated and counted as students of  
30 their respective participating school districts for purposes of all  
31 state aid calculations pursuant to this chapter;

32 (iii) The current enrollment of all participating school districts;  
33 and

34 (iv) The projected total enrollment numbers of the regional secondary  
35 school;

36 j. The proposed contract must demonstrate how the regional secondary  
37 school will provide increased educational opportunities for students,  
38 including courses and programs in science, technology, engineering and  
39 math, to prepare students for college and career readiness and improve  
40 student performance.

41 k. That employment issues of the regional secondary school shall be  
42 resolved as follows:

43 (i) That all teachers, teaching assistants and teacher aides of the  
44 participating school districts, whose services in the participating  
45 school districts are no longer needed because of the establishment of a  
46 regional secondary school, or the transfer of students to an existing  
47 regional secondary school, or as a result of a new participating school  
48 district joining the regional secondary school, shall immediately become  
49 employees of the governing board designated in the proposed contract,  
50 and shall retain their tenure and/or employment status and the seniority  
51 gained in the participating district.

52 (ii) That in the event that the number of teaching, teaching assistant  
53 or teacher aide positions needed to provide the educational services  
54 required by a regional secondary school is less than the number of  
55 teachers, teaching assistants, and teacher aides eligible to be consid-  
56 ered employees of the designated governing board of such regional

1 secondary school, the services of the teachers, teaching assistants and  
2 teacher aides having the least seniority in the participating school  
3 district within the tenure area or civil service status, as the case may  
4 be, of the position shall be discontinued.

5 (iii) That any such employees who are teachers, teaching assistants or  
6 teacher aides shall be placed on a preferred eligible list of candidates  
7 for appointment to a vacancy that may thereafter occur in an office or  
8 position under the jurisdiction of the participating school district in  
9 accordance with the provisions of section twenty-five hundred ten or  
10 three thousand thirteen of this chapter.

11 (iv) That for any such teacher, teaching assistant or teacher aide who  
12 is retained by the governing board, for salary, sick leave and any other  
13 purposes, the length of service credited in such participating school  
14 district prior to its participation in the regional secondary school  
15 shall be credited as employment time with the designated governing  
16 board.

17 (v) That upon termination of the proposed contract pursuant to this  
18 section and the return of students from the regional secondary school to  
19 the former participating school district, the teachers, teaching assist-  
20 ants and teacher aides employed by the governing board to serve in the  
21 regional secondary school shall have the same employment rights in the  
22 participating school districts as teachers would have upon takeover of a  
23 board of cooperative educational services program by such school  
24 districts pursuant to section three thousand fourteen-b of this chapter.

25 (vi) That all school principals, assistant principals, supervisory  
26 employees, and non-instructional employees of the participating school  
27 districts, whose services in the participating school districts are no  
28 longer needed because of the establishment of a regional secondary  
29 school, or the transfer of students to an existing regional secondary  
30 school, or as a result of a new participating school district joining  
31 the regional secondary school, shall immediately become employees of the  
32 governing board designated in the proposed contract, and shall have  
33 employment rights identical to teachers, teaching assistants or teacher  
34 aides provided in this section and the existing relevant sections of  
35 this chapter.

36 l. The proposed contract shall specify the process for development of  
37 the budget for the regional secondary school by the designated governing  
38 board and how operating and administrative costs and the local share of  
39 capital expenses attributable to the regional secondary school will be  
40 allocated amongst the participating districts.

41 m. The proposed contract shall specify the costs of the regional  
42 secondary school, staffing, current and future capital construction  
43 plans and for the delivery of special education programs.

44 n. The proposed contract shall specify the procedures for discipline  
45 of students attending the regional secondary school, including the  
46 applicable code of conduct provided that such code of conduct meets the  
47 requirements of section twenty-eight hundred one of this chapter and  
48 procedures for superintendents' hearings and appeals to the board of  
49 education pursuant to section thirty-two hundred fourteen of this chap-  
50 ter.

51 o. The proposed contract shall specify the costs of the operation of  
52 the regional secondary school for each participating school district and  
53 an itemized listing of the cost savings for each participating school  
54 district.



1 p. The proposed contract shall specify how extra-curricular activities  
2 and interscholastic athletics will be provided to students of the  
3 regional secondary school.

4 q. The proposed contract shall specify the fiscal implications of the  
5 regional secondary school including expected state aid and expected  
6 changes in expenditures and property tax levies.

7 r. The proposed contract shall specify whether the employees of the  
8 regional secondary school shall establish new employee organizations,  
9 pursuant to article fourteen of the civil service law, for their repre-  
10 sentation, or, where applicable, whether they shall become members of  
11 the applicable employee organizations representing the employees of the  
12 hosting district.

13 s. The proposed contract shall set forth any other information or  
14 analysis as may be required by the regulations of the commissioner.

15 14. If the commissioner approves the proposed contract, the regional  
16 secondary school shall be established. The contract, so approved, shall  
17 be for a period of at least five and not more than seven school years  
18 and, upon the approval of the commissioner, may be renewed pursuant to  
19 mutual agreement by means of a majority vote of each of the boards of  
20 education of the participating districts. The regional secondary school  
21 shall commence operations on the first of July, and shall not cease  
22 operations before the thirtieth of June in any school year.

23 § 1922. Establishment of a regional secondary school operated by a  
24 board of cooperative educational services. 1. A regional secondary  
25 school may be established pursuant to this section.

26 2. A regional secondary school may be established by two or more  
27 eligible school districts.

28 3. The establishment of a regional secondary school shall be subject  
29 to the approval of the commissioner, in a manner and time frame, as set  
30 forth within this section.

31 4. A regional secondary school shall be wholly contained within the  
32 supervisory district of the board of cooperative educational services  
33 operating the regional secondary school.

34 5. A regional secondary school shall serve all or some of the students  
35 in each of the participating districts in grades of a secondary school  
36 as determined by the agreement between the participating districts.

37 6. Upon the establishment of a regional secondary school, each partic-  
38 ipating district shall cease operation of at least one secondary school,  
39 except that the hosting district may continue to operate a secondary  
40 school as a regional secondary school, pursuant to the conditions of  
41 this article.

42 7. Pursuant to this section, the regional secondary school operated by  
43 a board of cooperative educational services, shall have such board of  
44 cooperative educational services assume the responsibility to operate,  
45 supervise and maintain the regional secondary school and the adminis-  
46 tration of such regional secondary school.

47 8. a. To establish a regional secondary school, two or more partic-  
48 ipating school districts must initially adopt, by majority vote of the  
49 board of education of each participating district, a resolution propos-  
50 ing the establishment of the regional secondary school.

51 b. The resolution to establish a regional secondary school shall indi-  
52 cate:

53 (i) The proposed participating school districts;

54 (ii) That the regional secondary school shall be operated by a board  
55 of cooperative educational services;

1 (iii) A listing of the grades that would be included in the regional  
2 secondary school;

3 (iv) The proposed location of the regional secondary school;

4 (v) The proposed term of the contract governing the regional secondary  
5 school.

6 c. The resolution to establish the regional secondary school shall be  
7 voted on by each board at a meeting held no later than October first of  
8 the school year prior to the school year in which the regional secondary  
9 school is proposed to commence operation.

10 9. a. If two or more school districts adopt such a resolution as  
11 provided in subdivision eight of this section, the resolution shall be  
12 presented in a regional referendum by means of a regional vote, before  
13 the electors of all of the proposed participating districts.

14 b. Approval of the regional referendum shall be upon a majority vote  
15 of the participating electors in the region encompassing all of the  
16 proposed participating districts.

17 c. In the event the voters do not approve the regional referendum, it  
18 may be presented for a re-vote, but in no event may more than two votes  
19 be held in any school year.

20 10. Upon the approval of the voters in the regional referendum,  
21 presented pursuant to subdivision nine of this section, the participat-  
22 ing school districts shall collectively enter into a proposed contract  
23 for the establishment of a regional secondary school.

24 11. With the consent of each of the participating boards of education,  
25 and the board of cooperative educational services operating the regional  
26 secondary school, and upon the approval of the commissioner, additional  
27 school districts, otherwise eligible to establish the regional secondary  
28 school operated by a board of cooperative educational services, may join  
29 the regional secondary school in the second or a subsequent year of  
30 operation, by adopting a board resolution and obtaining voter approval  
31 upon a majority vote of the electors of such additional district.

32 12. a. Upon receipt of voter approval in the regional referendum held  
33 pursuant to subdivision nine of this section, the participating school  
34 districts shall adopt, by a majority vote of the boards of education of  
35 each participating school district, a proposed contract for the opera-  
36 tion of the regional secondary school.

37 b. The proposed contract for the operation of the regional secondary  
38 school shall include the plan of formation and operation of the regional  
39 secondary school and shall be submitted to the commissioner for his or  
40 her approval, in a time and manner prescribed by the commissioner.

41 c. The proposed contract for the operation of the regional secondary  
42 school shall be an inter-municipal sharing agreement pursuant to article  
43 five-G of the general municipal law that complies with the requirements  
44 of this section.

45 13. The proposed contract for the operation of the regional secondary  
46 school, and the regional secondary school that would be established  
47 thereunder, shall meet the following requirements:

48 a. The proposed contract shall provide the name of the regional  
49 secondary school, which shall be subject to the commissioner's approval;

50 b. The term of the proposed contract shall be specified therein, and  
51 shall be for a term not less than five nor more than seven school years;

52 c. The proposed contract shall establish:

53 (i) That the board of cooperative educational services as the govern-  
54 ing board of the regional secondary school, will operate the regional  
55 secondary school on behalf of all participating districts;



1 (ii) That the board of cooperative educational services as the govern-  
2 ing board of the regional secondary school, shall have responsibility  
3 for the operation, supervision and maintenance of the regional secondary  
4 school and shall be responsible for the administration of the school,  
5 including the curriculum, grading, staffing and the issuance of diplomas  
6 for all students that attend the regional secondary school, as shall be  
7 designated in the proposed contract; and

8 (iii) That the board of cooperative educational services as the  
9 governing board of the regional secondary school shall be deemed a  
10 school district for accountability purposes.

11 d. The proposed contract may provide that the student's school  
12 district of residence may issue the student's diploma, upon certif-  
13 ication by the governing board that all graduation requirements of the  
14 regional secondary school have been met;

15 e. The proposed contract shall designate the grades of instruction  
16 intended to be served by the regional secondary school;

17 f. The proposed contract shall designate the site of the regional  
18 secondary school, which shall be within the boundaries of one of the  
19 participating districts, and where possible, should use existing build-  
20 ings and/or infrastructure;

21 g. Notwithstanding any other provision of law to the contrary, the  
22 proposed contract shall provide that each participating school district  
23 shall be responsible for providing or arranging for transportation to  
24 its resident students attending the regional secondary school in accord-  
25 ance with its school district policy, but without regard to any maximum  
26 mileage limitation;

27 h. The proposed contract may provide that student transportation may  
28 be provided by contract for transportation services, including but not  
29 limited to a contract with one or more participating districts or a  
30 board of cooperative educational services;

31 i. The proposed contract shall specify:

32 (i) That the students of each participating school district shall  
33 remain enrolled as students of their respective participating school  
34 districts;

35 (ii) That the students shall be treated and counted as students of  
36 their respective participating school districts for purposes of all  
37 state aid calculations pursuant to this chapter;

38 (iii) The current enrollment of all participating school districts;  
39 and

40 (iv) The projected total enrollment numbers of the regional secondary  
41 school;

42 j. The proposed contract must demonstrate how the regional secondary  
43 school will provide increased educational opportunities for students,  
44 including courses and programs in science, technology, engineering and  
45 math, to prepare students for college and career readiness and improve  
46 student performance;

47 k. That employment issues of the regional secondary school shall be  
48 resolved as follows:

49 (i) That all teachers, teaching assistants and teacher aides of the  
50 participating school districts, whose services in the participating  
51 school districts are no longer needed because of the establishment of a  
52 regional secondary school, or the transfer of students to an existing  
53 regional secondary school, or as a result of a new participating school  
54 district joining the regional secondary school, shall immediately become  
55 employees of the board of cooperative educational services designated in

1 the proposed contract, and shall retain their tenure and/or employment  
2 status and the seniority gained in the participating district;

3 (ii) That in the event that the number of teaching, teaching assistant  
4 or teacher aide positions needed to provide the educational services  
5 required by a regional secondary school is less than the number of  
6 teachers, teaching assistants and teacher aides eligible to be consid-  
7 ered employees of the designated governing board of such regional  
8 secondary school, the services of the teachers, teaching assistants and  
9 teacher aides having the least seniority in the participating school  
10 district within the tenure area or civil service status, as the case may  
11 be, of the position shall be discontinued;

12 (iii) That any such employees who are teachers, teaching assistants or  
13 teacher aides shall be placed on a preferred eligible list of candidates  
14 for appointment to a vacancy that may thereafter occur in an office or  
15 position under the jurisdiction of the participating school district in  
16 accordance with the provisions of section twenty-five hundred ten or  
17 three thousand thirteen of this chapter;

18 (iv) That for any such teacher, teaching assistant or teacher aide who  
19 is retained by the governing board, for salary, sick leave and any other  
20 purposes, the length of service credited in such participating school  
21 district prior to its participation in the regional secondary school  
22 shall be credited as employment time with the board of cooperative  
23 educational services;

24 (v) That upon termination of the proposed contract pursuant to this  
25 section and the return of students from the regional secondary school to  
26 the former participating school district, the teachers, teaching assist-  
27 ants, and teacher aides employed by the board of cooperative educational  
28 services to serve in the regional secondary school shall have the same  
29 employment rights in the participating school districts as teachers  
30 would have upon takeover of a board of cooperative educational services  
31 program by such school districts pursuant to section three thousand  
32 fourteen-b of this chapter; and

33 (vi) That all school principals, assistant principals, supervisory  
34 employees, and non-instructional employees of the participating school  
35 districts, whose services in the participating school districts are no  
36 longer needed because of the establishment of a regional secondary  
37 school, or the transfer of students in an existing regional secondary  
38 school, or as a result of a new participating school district joining  
39 the regional secondary school, shall immediately become employees of the  
40 board of cooperative educational services designated in the proposed  
41 contract, and shall have employment rights identical to teachers, teach-  
42 ing assistants or teacher aides provided in this section and the exist-  
43 ing relevant sections of this chapter.

44 1. The proposed contract shall specify the process for development of  
45 the budget for the regional secondary school by the board of cooperative  
46 educational services and how operating and administrative costs and the  
47 local share of capital expenses attributable to the regional secondary  
48 school will be allocated amongst the participating districts;

49 m. The proposed contract shall specify the costs of the regional  
50 secondary school, staffing, current and future capital construction  
51 plans and for the delivery of special education programs;

52 n. The proposed contract shall specify the procedures for discipline  
53 of students attending the regional secondary school, including the  
54 applicable code of conduct provided that such code of conduct meets the  
55 requirements of section twenty-eight hundred one of this chapter and  
56 procedures for superintendents' hearings and appeals to the board of

1 education pursuant to section thirty-two hundred fourteen of this chap-  
2 ter;

3 o. The proposed contract shall specify the costs of the operation of  
4 the regional secondary school for each participating school district and  
5 an itemized listing of the cost savings for each participating school  
6 district;

7 p. The proposed contract shall specify how extracurricular activities  
8 and interscholastic athletics will be provided to students of the  
9 regional secondary school;

10 q. The proposed contract shall specify the fiscal implications of the  
11 regional secondary school including expected state aid and expected  
12 changes in expenditures and property tax levies;

13 r. The proposed contract shall specify whether the employees of the  
14 regional secondary school shall establish new employee organizations,  
15 pursuant to article fourteen of the civil service law, for their repre-  
16 sentation, or, where applicable, whether they shall become members of  
17 the applicable employee organizations representing the employees of the  
18 hosting district; and

19 s. The proposed contract shall set forth any other information or  
20 analysis as may be required by the regulations of the commissioner.

21 14. If the commissioner approves the proposed contract, the regional  
22 secondary school shall be established. The contract, so approved, shall  
23 be for a period of at least five and not more than seven school years  
24 and, upon the approval of the commissioner, may be renewed pursuant to  
25 mutual agreement by means of a majority vote of each of the boards of  
26 education of the participating districts and the supervisory district of  
27 the board of cooperative educational services. The regional secondary  
28 school shall commence operations on the first of July, and shall not  
29 cease operations before the thirtieth of June in any school year.

30 § 1923. State aid for regional secondary schools. 1. Students attend-  
31 ing a regional secondary school shall be deemed enrolled in their school  
32 district of residence and shall be included in the applicable member-  
33 ship, enrollment and attendance counts of their respective school  
34 districts of residence for purposes of computation of state aid to such  
35 school districts. The costs of educating each such student shall be  
36 included in the approved operating expense of the student's school  
37 district of residence and except as otherwise provided in this section,  
38 the state aid attributable to such student shall be computed in the same  
39 manner as aid attributable to other resident students and shall be paya-  
40 ble to the school district of residence.

41 2. Notwithstanding any other provision of law to the contrary, the  
42 school district that owns the facility used to house the regional  
43 secondary school shall be the only school district eligible for building  
44 aid pursuant to the applicable provisions of subdivision six, six-a,  
45 six-c, six-e or six-f of section thirty-six hundred two of this chapter  
46 for projects involving the regional secondary school that are approved  
47 by the qualified voters of such district after establishment of the  
48 regional secondary school, provided that such aid shall be computed  
49 using the building aid ratio applicable to projects of the school  
50 district that owns the regional secondary school facility under the  
51 provisions of paragraphs b and c of subdivision six of section thirty-  
52 six hundred two of this chapter. Such aid shall be paid to such school  
53 district or to the board of cooperative educational services on behalf  
54 of such school district where the board of cooperative educational  
55 services operates the regional secondary school. The school district or  
56 board of cooperative educational services shall allocate the local share

1 of the costs of such projects to the participating school districts in  
2 accordance with its contract entered into pursuant to section nineteen  
3 hundred twenty-one or nineteen hundred twenty-two of this article. The  
4 costs of such projects shall not be eligible for aid pursuant to subdivi-  
5 sion six-b or paragraph c of subdivision fourteen of section thirty-  
6 six hundred two of this chapter.

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

27 4. The board of education of each school district participating in a  
28 regional secondary school pursuant to this article shall be eligible for  
29 additional state aid in accordance with paragraph k of subdivision four-  
30 teen of section thirty-six hundred two of this chapter.

31 § 1924. Regional secondary school advisory committee. 1. Each regional  
32 secondary school established and operated pursuant to this article shall  
33 establish an advisory committee. The advisory committee shall be  
34 composed of the president of the board of education of each participat-  
35 ing school district, the president of the board of education of each  
36 supervisory board of cooperative educational services, where applicable,  
37 and the superintendent of each participating school district and the  
38 superintendent of the supervisory district in which the regional second-  
39 ary school is located. The superintendent of the supervisory district  
40 shall be the chair of the advisory committee.

41 2. The advisory committee shall convene, at the call of the chair, not  
42 less than four times during each school year during which the regional  
43 secondary school operates. During such meetings, the advisory committee  
44 shall review the operation of the regional secondary school and make  
45 recommendations to the hosting district or the supervisory board of  
46 cooperative educational services, as the case may be, on the continued  
47 operation of such secondary school.

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

50 oo. Pursuant to article thirty-nine-A of this title, a board of coop-  
51 erative educational services may enter into an agreement with two or  
52 more school districts eligible to enter into such an agreement in  
53 accordance with section nineteen hundred twenty-two of this title, which  
54 may include city school districts, central school districts, central  
55 high school districts, union free school districts, and/or common school  
56 districts which are wholly contained within the supervisory district of

1 the board of cooperative educational services, to form a regional  
2 secondary school to be operated by the board of cooperative educational  
3 services. The board of cooperative educational services shall have the  
4 same powers and duties with respect to such regional secondary school as  
5 the board of education of a union free school district has with respect  
6 to its schools, consistent with the terms of its agreement with the  
7 participating school districts.

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

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

14 (13) To develop core curriculum for students attending a regional  
15 secondary school established pursuant to the provisions of section nine-  
16 teen hundred twenty-two of this title.

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

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

23 (8) For regional secondary schools established pursuant to section  
24 nineteen hundred twenty-two of this title, the board of cooperative  
25 educational services shall prepare and propose a tentative budget of  
26 expenditures for program, administrative and capital costs to operate  
27 the regional secondary school in the ensuing school year. Such proposed  
28 budget shall be provided to the board of education of each participating  
29 school district of the regional secondary school, by the date provided  
30 in the agreement entered into pursuant to such section nineteen hundred  
31 twenty-two. The board of education of each participating school district  
32 shall be afforded an opportunity to review and comment on the proposed  
33 budget prior to its final adoption by the board of cooperative educa-  
34 tional services.

35 § 6. Subdivision 14 of section 3602 of the education law is amended by  
36 adding a new paragraph k to read as follows:

37 k. Transition incentive aid for regional secondary schools. (1)  
38 Notwithstanding the provisions of paragraphs a through g of this subdi-  
39 vision, for aid payable in the two thousand nineteen--two thousand twen-  
40 ty school year or thereafter, school districts that are parties to an  
41 agreement to establish and operate a regional secondary school pursuant  
42 to article thirty-nine-A of this chapter entered into on or after July  
43 first, two thousand eighteen and participated in such regional secondary  
44 school in the base year shall be eligible for transition incentive aid  
45 pursuant to this paragraph provided that the following conditions are  
46 met:

47 (i) the regional secondary school agreement includes at least two  
48 school districts, each of which previously maintained its own secondary  
49 schools, and has ceased district operation of at least one high school  
50 or junior high school following the establishment of the regional  
51 secondary school, or

52 (ii) the regional secondary school agreement includes at least one  
53 school district which previously maintained its own high school or  
54 junior high school, and does not maintain its own high school or junior  
55 high school following the establishment of the regional secondary  
56 school, and in addition thereto, includes at least one additional school



1 district employing eight or more teachers that do not maintain their own  
2 high school or junior high school;

3 (2) In each of the first thirteen years in which a school district is  
4 party to such agreement, such district shall be entitled to an appor-  
5 tionment equal to the product of (i) thirty percent of the apportionment  
6 computed in accordance with the provisions of paragraph d-1 of this  
7 subdivision, multiplied by (ii) the quotient of the number of pupils  
8 within such school district attending the regional secondary school in  
9 the base year divided by the resident public school district enrollment  
10 of such school district within the grades of the new regional secondary  
11 school or schools; provided further that such districts shall be eligi-  
12 ble to receive an additional apportionment equal to the product of (i)  
13 ten percent of the apportionment computed in accordance with the  
14 provisions of paragraph d-1 of this subdivision multiplied by (ii) the  
15 quotient of the number of pupils within such school district attending  
16 the regional secondary school in the base year divided by the resident  
17 public school district enrollment of such school district within the  
18 grades of the new regional secondary school or schools upon meeting  
19 academic achievement goals as established by the commissioner in accord-  
20 ance with a methodology prescribed in the regulations of the commission-  
21 er. In no case shall the sum of such apportionments under this paragraph  
22 plus the selected operating aid per pupil be more than a total of nine-  
23 ty-five per centum of the year prior to the base year approved operating  
24 expense. School districts which receive an apportionment under this  
25 paragraph shall not be eligible for an apportionment under paragraph c,  
26 f or j of this subdivision.

27 (3) The apportionment that a school district shall be entitled to  
28 receive pursuant to subparagraph two of this paragraph shall be reduced,  
29 after the third year it has received such apportionments, by the amount  
30 of ten percent for each year such school district is entitled to receive  
31 such apportionment.

32 § 7. This act shall take effect July 1, 2018, provided that if this  
33 act becomes a law after such date, it shall take effect immediately and  
34 be deemed to have been in full force and effect on and after July 1,  
35 2018.