

STATE OF NEW YORK

5024--A

2023-2024 Regular Sessions

IN SENATE

February 21, 2023

Introduced by Sens. MAYER, ASHBY, BAILEY, BORRELLO, BROUK, GALLIVAN, WEBER -- 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 the salaries of certain teachers and aides employed by boards of cooperative educational services

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

1 Section 1. Paragraph b of subdivision 5 of section 1950 of the educa-
2 tion law, as amended by chapter 130 of the laws of 2022, is amended to
3 read as follows:
4 b. The cost of services herein referred to shall be the amount allo-
5 cated to each component school district by the board of cooperative
6 educational services to defray expenses of such board, including
7 approved expenses from the testing of potable water systems of occupied
8 school buildings under the board's jurisdiction as required pursuant to
9 section eleven hundred ten of the public health law provided that such
10 expenses for testing of potable water systems are not reimbursable from
11 another state or federal source, except that that part of the salary
12 paid any teacher, supervisor or other employee of the board of cooper-
13 ative educational services which is, (i) for the two thousand twenty-
14 four--two thousand twenty-five school year and prior school years in
15 excess of thirty thousand dollars, (ii) for aid payable in the two thou-
16 sand twenty-five--two thousand twenty-six school year in excess of forty
17 thousand dollars, (iii) for aid payable in the two thousand twenty-six-
18 -two thousand twenty-seven school year in excess of fifty thousand
19 dollars, and (iv) for aid payable in the two thousand twenty-seven--two
20 thousand twenty-eight school year and thereafter, in excess of sixty

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

LBD09622-02-4

1 thousand dollars, shall not be such an approved expense, and except also
2 that administrative and clerical expenses shall not exceed ten percent
3 of the total expenses for purposes of this computation. Any gifts,
4 donations or interest earned by the board of cooperative educational
5 services or on behalf of the board of cooperative educational services
6 by the dormitory authority or any other source shall not be deducted in
7 determining the cost of services allocated to each component school
8 district. Any payments made to a component school district by the board
9 of cooperative educational services pursuant to subdivision eleven of
10 section six-p of the general municipal law attributable to an approved
11 cost of service computed pursuant to this subdivision shall be deducted
12 from the cost of services allocated to such component school district.
13 The expense of transportation provided by the board of cooperative
14 educational services pursuant to paragraph q of subdivision four of this
15 section shall be eligible for aid apportioned pursuant to subdivision
16 seven of section thirty-six hundred two of this chapter and no board of
17 cooperative educational services transportation expense shall be an
18 approved cost of services for the computation of aid under this subdivi-
19 sion. Transportation expense pursuant to paragraph q of subdivision
20 four of this section shall be included in the computation of the ten
21 percent limitation on administrative and clerical expenses.

22 § 2. Paragraph b of subdivision 10 of section 3602 of the education
23 law, as amended by section 16 of part B of chapter 57 of the laws of
24 2007, is amended to read as follows:

25 b. Aid for career education. There shall be apportioned to such city
26 school districts and other school districts which were not components of
27 a board of cooperative educational services in the base year for pupils
28 in grades [~~ten~~ nine] through twelve in attendance in career education
29 programs as such programs are defined by the commissioner, subject for
30 the purposes of this paragraph to the approval of the director of the
31 budget, an amount for each such pupil to be computed by multiplying the
32 career education aid ratio by [~~three thousand nine hundred dollars~~] four
33 thousand one hundred dollars. Such aid will be payable for weighted
34 pupils attending career education programs operated by the school
35 district and for weighted pupils for whom such school district contracts
36 with boards of cooperative educational services to attend career educa-
37 tion programs operated by a board of cooperative educational services.
38 Weighted pupils for the purposes of this paragraph shall mean the sum of
39 the attendance of students in grades [~~ten~~ nine] through twelve in career
40 education sequences in trade, industrial, technical, agricultural or
41 health programs plus the product of sixteen hundredths multiplied by the
42 attendance of students in grades [~~ten~~ nine] through twelve in career
43 education sequences in business and marketing as defined by the commis-
44 sioner in regulations. The career education aid ratio shall be computed
45 by subtracting from one the product obtained by multiplying fifty-nine
46 percent by the combined wealth ratio. This aid ratio shall be expressed
47 as a decimal carried to three places without rounding, but not less than
48 thirty-six percent.

49 Any school district that receives aid pursuant to this paragraph shall
50 be required to use such amount to support career education programs in
51 the current year.

52 A board of education which spends less than its local funds as defined
53 by regulations of the commissioner for career education in the base year
54 during the current year shall have its apportionment under this subdivi-
55 sion reduced in an amount equal to such deficiency in the current or a
56 succeeding school year, provided however that the commissioner may waive

1 such reduction upon determination that overall expenditures per pupil in
2 support of career education programs were continued at a level equal to
3 or greater than the level of such overall expenditures per pupil in the
4 preceding school year.

5 § 3. This act shall take effect immediately and shall apply to the
6 calculation of BOCES aid and aid for career education payable in the
7 2024-2025 school year and years thereafter.