

STATE OF NEW YORK

6536

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025

Introduced by M. of A. K. BROWN -- read once and referred to the Committee on Education

AN ACT to amend the education law, the arts and cultural affairs law, the agriculture and markets law, the banking law, the economic development law, the civil practice law and rules, the civil service law, the elder law, the energy law, the environmental conservation law, the executive law, the general municipal law, the highway law, the insurance law, the labor law, the local finance law, the mental hygiene law, the public authorities law, the public health law, the public officers law, the penal law, the real property tax law, the retirement and social security law, the social services law, the state finance law, the tax law, the town law, the vehicle and traffic law and the New York state urban development corporation act, in relation to renaming boards of cooperative educational services to NY polytechnical institutes

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

1 Section 1. The article heading of article 40 of the education law, as
2 added by chapter 378 of the laws of 1972, is amended to read as follows:
3 ARTICLE 40

4 [~~BOARDS OF COOPERATIVE EDUCATIONAL SERVICES~~] NY POLYTECHNICAL
5 INSTITUTES

6 § 2. Section 1950 of the education law, as amended by chapter 583 of
7 the laws of 1955 and as renumbered by chapter 378 of the laws of 1972,
8 subdivision 1 as amended by chapter 396 of the laws of 1974, subdivisions
9 2 and 2-b and paragraphs a, b, and o of subdivision 4 as amended
10 by chapter 295 of the laws of 1993, subdivision 2-a as amended and
11 subparagraph 6 of paragraph b of subdivision 4 as added by chapter 602
12 of the laws of 1994, paragraphs b and c of subdivision 2-a, subparagraph

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

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1 1 of paragraph a, subparagraph 1 of paragraph b, and paragraphs d and jj
2 of subdivision 4 as amended by chapter 474 of the laws of 1996, para-
3 graph f of subdivision 2-a as amended by chapter 61 of the laws of 2016,
4 subdivision 3 as amended by chapter 205 of the laws of 1969, subpara-
5 graph 2 of paragraph a of subdivision 4 as amended by section 52-1 of
6 part YYY of chapter 59 of the laws of 2019, subparagraph 3 of paragraph
7 a of subdivision 4 as added by chapter 698 of the laws of 2003, subpara-
8 graph 5 of paragraph b and paragraphs c and kk of subdivision 4 as
9 amended by chapter 378 of the laws of 2010, subparagraph 7 of paragraph
10 b of subdivision 4 as amended by chapter 739 of the laws of 2004,
11 subparagraph 2 of paragraph d of subdivision 4 as amended by chapter 396
12 of the laws of 2012, subparagraph 2-a of paragraph d of subdivision 4 as
13 added by section 10-e of part L of chapter 405 of the laws of 1999,
14 paragraph f of subdivision 4 as amended by chapter 454 of the laws of
15 1974, paragraph h of subdivision 4 as amended and paragraphs t, u, v,
16 and x of subdivision 4 as added by chapter 795 of the laws of 1967,
17 subparagraph 2 of paragraph h of subdivision 4 as amended by chapter 422
18 of the laws of 2012, subparagraph 4 of paragraph h of subdivision 4 as
19 amended by chapter 17 of the laws of 2011, subparagraphs 5 and 6 of
20 paragraph h and paragraph gg of subdivision 4 as amended by chapter 301
21 of the laws of 1996, subparagraph 7 of paragraph h of subdivision 4 as
22 added by chapter 395 of the laws of 1984, subparagraph 8 of paragraph h
23 of subdivision 4 as amended by section 1 of part J of chapter 56 of the
24 laws of 2015, subparagraph 10 of paragraph h of subdivision 4 as amended
25 by chapter 67 of the laws of 2019, subparagraph 11 of paragraph h of
26 subdivision 4 as added by chapter 181 of the laws of 2013, subparagraph
27 12 of paragraph h of subdivision 4 as added by chapter 331 of the laws
28 of 2019, subparagraph 13 of paragraph h of subdivision 4 as added by
29 chapter 298 of the laws of 2020, paragraph k of subdivision 4 as amended
30 by chapter 263 of the laws of 2005, paragraph p of subdivision 4 as
31 amended by chapter 404 of the laws of 1983, subparagraph (a) as amended
32 and subparagraph (c) of paragraph p of subdivision 4 as added by chapter
33 374 of the laws of 2014, paragraph q of subdivision 4 as separately
34 amended by chapters 367 and 563 of the laws of 1979, paragraphs r and w
35 of subdivision 4 as amended by chapter 53 of the laws of 1990, paragraph
36 s of subdivision 4 as added by chapter 983 of the laws of 1957, para-
37 graph y of subdivision 4 as added by chapter 94 of the laws of 1974,
38 paragraph y of subdivision 4 as added by chapter 328 of the laws of
39 1974, paragraph z of subdivision 4 as added by chapter 786 of the laws
40 of 1977, paragraph aa of subdivision 4 as added by chapter 595 of the
41 laws of 1978, paragraph bb of subdivision 4 as added by chapter 53 of
42 the laws of 1984, subparagraph 3 of paragraph bb of subdivision 4 as
43 amended by section 2 of part A of chapter 60 of the laws of 2000, para-
44 graphs cc and ee of subdivision 4 as amended by chapter 676 of the laws
45 of 2004, paragraph dd of subdivision 4 as added by chapter 291 of the
46 laws of 1985, paragraph ff of subdivision 4 as added by chapter 525 of
47 the laws of 1986, paragraphs dd and ff as relettered and paragraph hh
48 of subdivision 4 as added by chapter 353 of the laws of 1988, paragraph
49 gg of subdivision 4 as amended by chapter 301 of the laws of 1996, para-
50 graph ii of subdivision 4 as added by chapter 274 of the laws of 1990,
51 paragraph ll of subdivision 4 as amended by chapter 147 of the laws of
52 2001, subparagraph b of paragraph ll of subdivision 4 as amended by
53 chapter 179 of the laws of 2009, paragraph mm of subdivision 4 as added
54 by chapter 180 of the laws of 2000, paragraph nn of subdivision 4 as
55 added by chapter 335 of the laws of 2005, paragraph oo of subdivision 4
56 as added by section 1 of part D of chapter 56 of the laws of 2018,

subdivision 4-a as added by chapter 377 of the laws of 2001, subdivision 5 as amended by chapter 53 of the laws of 1981, paragraph a of subdivision 5 as amended by section 4 and paragraph g of subdivision 5 as amended by section 5 of part C of chapter 57 of the laws of 2004, paragraph b of subdivision 5 as amended by chapter 130 of the laws of 2022, paragraph h of subdivision 5 as added by section 1 of part L of chapter 57 of the laws of 2005, subdivision 5-a as added by chapter 82 of the laws of 1995, subdivision 7 as amended by chapter 38 of the laws of 1994, subdivision 8 as amended by chapter 829 of the laws of 1963, subdivision 8-a as added by chapter 762 of the laws of 1972, the opening paragraph of subdivision 8-a as amended by chapter 479 of the laws of 2022, subdivision 8-b as added by chapter 53 of the laws of 1987, subdivision 8-c as added by section 14 of part A of chapter 436 of the laws of 1997, subdivision 8-d as added by section 31 of part A of chapter 56 of the laws of 2022, subdivision 9 as added by chapter 295 of the laws of 1958, subdivision 9-a as added by chapter 21 of the laws of 1978, subdivision 10 as added by chapter 757 of the laws of 1971, subdivision 11 as amended by section 2, paragraph c of subdivision 13 as amended by section 3 and paragraph e of subdivision 14 as amended by section 4 of part A-2 of chapter 62 of the laws of 2003, subdivision 13 as added by chapter 33 of the laws of 1976, subdivision 14 as added by chapter 728 of the laws of 1976, subdivision 18 as amended by chapter 175 of the laws of 2000, and subdivision 19 as amended by chapter 510 of the laws of 2001, is amended to read as follows:

§ 1950. Establishment of [~~boards of cooperative educational services~~] NY polytechnical institutes pending the creation of intermediate districts. 1. The boards of education and school trustees of a supervisory district which is not part of an intermediate district, meeting at a time and place to be designated by the district superintendent of schools, may, by a majority vote of their members present and voting, file with the commissioner of education a petition for the establishment of a [~~board of cooperative educational services~~] NY polytechnical institute for the purpose of carrying out a program of shared educational services in the schools of the supervisory district and for providing instruction in such special subjects as the commissioner may approve. The commissioner, by order, may establish such [~~a board~~] an institute with membership of not less than five nor more than fifteen, upon such application and when a vacancy occurs in the office of district superintendent of schools shall establish such [~~a board~~] an institute, unless the commissioner shall issue an order pursuant to section twenty-two hundred one of this chapter redistricting the county so as to provide for a lesser number of supervisory districts. The commissioner, by order, may authorize [~~a board~~] an institute, established prior to July second, nineteen hundred sixty-five, to increase its membership to not less than five nor more than fifteen.

2. Upon the establishment by the commissioner of such [~~a board~~] an institute, boards of education and school trustees, by a vote pursuant to subdivision two-a of this section shall elect [~~a board of cooperative educational services~~] the members of the NY polytechnical institute. Except for elections conducted pursuant to subdivision two-a of this section, and the adoption of a public resolution regarding the approval or disapproval of the tentative administrative budget pursuant to subparagraph five of paragraph b of subdivision four of this section, component districts having more than five board of education members shall be limited to five votes on any matters relating to the district superintendency or [~~board of cooperative educational services~~] the

1 members of the NY polytechnical institute. A full term shall be three
2 years to serve from July first next following election. It shall be the
3 duty of such meeting by order of such meeting to divide into a suffi-
4 cient number of classes the terms of the members of the [~~board of coop-~~
5 ~~erative educational services~~] NY polytechnical institute so that as
6 nearly as possible an equal number of members shall be elected to the
7 board each year. Notwithstanding any other provision of this subdivi-
8 sion, upon the decrease of the full term of members from five to three
9 years, the [~~board of cooperative educational services~~] NY polytechnical
10 institute shall direct that one or more members be elected for a term of
11 one, two or four years in order to assure, as nearly as possible, that
12 an equal number of members will be elected to the [~~board~~] institute each
13 year. Members of such [~~board~~] institute shall be reimbursed for neces-
14 sary expenses for attending meetings of such [~~boards~~] institutes. The
15 district superintendent shall be the executive officer of the [~~board~~]
16 institute, and where a [~~board of cooperative educational services~~] NY
17 polytechnical institute comprises two or more supervisory districts the
18 district superintendents, together with the president of the [~~board of~~
19 ~~cooperative educational services~~] NY polytechnical institute, shall act
20 as an executive committee.

21 2-a. a. Notwithstanding any other provision of law, commencing on and
22 after the first day of November, nineteen hundred ninety-three, the
23 members of a [~~board of cooperative educational services~~] NY polytechni-
24 cal institute shall be elected in accordance with the provisions of this
25 subdivision.

26 b. Not later than the first day of February of each year the president
27 of the [~~board of cooperative educational services~~] NY polytechnical
28 institute shall designate a single date on or after the sixteenth day
29 and on or before the thirtieth day of April on which each component
30 board, other than the board of education of a central high school
31 district, shall conduct a public meeting which may be a regular or
32 special meeting, for the purpose of electing members of the [~~board of~~
33 ~~cooperative educational services~~] NY polytechnical institute and adopt-
34 ing a public resolution concerning the approval or disapproval of the
35 tentative administrative budget. In the case of a central high school
36 district, such public meeting shall be held on the regular business day
37 next following the date designated by the president of the [~~board of~~
38 ~~cooperative educational services~~] NY polytechnical institute. Nomination
39 of a person to be elected [~~to a board of cooperative educational~~
40 ~~services~~] as a member of a NY polytechnical institute shall be made by
41 at least one component district by board resolution. Such resolution
42 shall be transmitted in writing to the clerk of the [~~board of cooper-~~
43 ~~ative educational services~~] NY polytechnical institute at least thirty
44 days prior to the date of the election as designated by the president of
45 the [~~board of cooperative educational services~~] NY polytechnical insti-
46 tute. No nomination of a person to be elected [~~to a board of cooper-~~
47 ~~ative educational services~~] as a member of a NY polytechnical institute
48 from a component district which currently has a resident serving [~~on~~] as
49 a member of such [~~board~~] institute shall be accepted unless such
50 member's office is to expire at the end of the current year, unless the
51 [~~size~~] number of members of such [~~board~~] institute exceeds the number
52 of component school districts or unless an unrepresented district
53 declines to make a nomination. For purposes of this subdivision, any
54 such person or [~~board~~] institute member nominated by a special act
55 school district, a central high school district or any district which is
56 a component of a central high school district shall be deemed a resident

1 of the district that nominated [~~him or her~~] them only. Furthermore, it
2 shall be the duty of the [~~board of cooperative educational services~~] NY
3 polytechnical institute to encourage the nomination of persons residing
4 in component districts not currently represented [~~on~~] in such [~~board~~]
5 institute. The clerk shall include the name and address of each person
6 nominated on the election ballot to be distributed in accordance with
7 paragraph c of this subdivision.

8 c. Members of the [~~boards of cooperative educational services~~] NY
9 polytechnical institutes shall be elected by resolution of the component
10 boards on a ballot prepared by the clerk of the [~~board of cooperative~~
11 ~~educational services~~] NY polytechnical institute. Such ballot shall be
12 mailed to each component district no later than fourteen days prior to
13 the date designated as the day of the election by the president of the
14 [~~board of cooperative educational services~~] NY polytechnical institute.
15 Each component district shall be entitled to one vote for each vacant
16 office to be filled. A component board [~~may~~] shall not cast more than
17 one vote for any candidate. The candidates receiving a plurality of the
18 votes cast for the several offices shall be elected, provided, however,
19 that no more than one person residing in a particular component district
20 may be elected to serve as a member of a [~~board of cooperative educa-~~
21 ~~tional services~~] NY polytechnical institute at one time unless the
22 number of [~~seats on such board~~] members of such institute exceeds the
23 number of component districts or unless an unrepresented district
24 declines to make a nomination, provided further that a person nominated
25 by a special act school district, a central high school district or a
26 component of a central high school district shall be deemed a resident
27 of the nominating district only for this purpose. Where more than one
28 position is to be filled by such election and there is a variance in the
29 length of the terms for which such offices are to be filled as author-
30 ized by this subdivision, or one or more persons are to be elected for a
31 full term or terms and one or more persons are to be elected for the
32 unexpired portion of a term or terms, or both, the candidate receiving
33 the greatest number of votes shall be entitled to the longest term and
34 candidates receiving the next highest number of votes, to the several
35 offices in decreasing order of the length of such terms or unexpired
36 portions of such terms. Each component school district shall mail or
37 deliver its completed ballot to the clerk of the [~~board of cooperative~~
38 ~~educational services~~] NY polytechnical institute no later than one busi-
39 ness day after the election.

40 d. In the event that more eligible persons than the number remaining
41 to be elected receive an equal number of votes sufficient that fewer
42 persons receiving such number of votes would be elected, the president
43 of the [~~board of cooperative educational services~~] NY polytechnical
44 institute shall call a run-off election to be conducted in accordance
45 with the provisions of paragraph c of this subdivision and to be held on
46 a date within twenty days of the initial vote. The only persons who
47 shall be deemed nominated for such run-off election shall be the candi-
48 dates who have received such equal number of votes. In the event that
49 equal numbers of votes are received by eligible candidates for offices
50 with a variance in the length of the term of office but the number of
51 votes received by such candidates is sufficient to elect each of the
52 candidates [~~to the board of cooperative educational services~~] as members
53 of the NY polytechnical institute, the candidates receiving such equal
54 number of votes shall draw lots to determine who of them shall fill each
55 such office.

e. Notwithstanding any other provision of this subdivision to the contrary, in the event a component school district will be transferred to a new supervisory district as of July first next succeeding the date designated for the annual election of the [~~board of cooperative educational services~~] members of the NY polytechnical institute, and such component district, as of April fifteenth of the current year, does not have a resident who is a member of the [~~board of cooperative educational services~~] NY polytechnical institute of the supervisory district of which it is a component in the current year, such component district shall be eligible to nominate candidates and vote in the annual [~~board~~] election of the [~~boards of cooperative educational services~~] members of the NY polytechnical institutes to which the component district will be transferred, as if such transfer had already occurred.

f. In the event of a vacancy in the membership of a [~~board of cooperative educational services~~] NY polytechnical institute, such [~~board of cooperative educational services~~] NY polytechnical institute may fill such vacancy by appointment, provided that notification be provided to all component boards of such vacancy and that the component boards are given ten days to provide any comments and/or objections to fill the vacancy by appointment, and the person so appointed shall hold office until the next annual election of the [~~board of cooperative educational services~~] members of the NY polytechnical institute.

2-b. Where the commissioner of education has established or hereafter establishes a [~~board of cooperative educational services~~] NY polytechnical institute for the purpose of carrying out a program of shared educational services in the schools of two or more supervisory districts, the commissioner may by order designate the number of members of such [~~board~~] institute which shall not be less than five nor more than fifteen, or may by order increase the number of members of such [~~board~~] institute to a maximum of fifteen or decrease the number of members to a minimum of five. Except for elections conducted pursuant to subdivision two-a of this section, and the adoption of a public resolution regarding the approval or disapproval of the tentative administrative budget pursuant to subparagraph five of paragraph b of subdivision four of this section, component districts having more than five board of education members shall be limited to five votes on any matters relating to the district superintendency or [~~board of cooperative educational services~~] membership of the NY polytechnical institute.

Boards of education and school trustees, shall elect the members of such [~~board of cooperative educational services~~] NY polytechnical institute pursuant to subdivision two-a of this section. A full term shall be three years to serve from July first next following election. It shall be the duty of such meeting by order of such meeting to divide into a sufficient number of classes the terms of the members of the [~~board of cooperative educational services~~] NY polytechnical institute so that as nearly as possible an equal number of members shall be elected to the board each year. Notwithstanding any other provision of this subdivision, upon the decrease of the full term of members from five to three years, the [~~board of cooperative educational services~~] NY polytechnical institute shall direct that one or more members be elected for a term of one, two or four years in order to assure, as nearly as possible, that an equal number of members will be elected to the [~~board~~] institute each year. Members of [~~boards of cooperative educational services~~] NY polytechnical institutes shall be reimbursed for necessary expenses for attending meetings of such [~~board~~] institute. Where the [~~board of cooperative educational services~~] NY polytechnical institute membership

1 comprises two or more supervisory districts, the district superinten-
2 dents, together with the president of the [~~board of cooperative educa-~~
3 ~~tional services~~] NY polytechnical institute, shall act as an executive
4 committee.

5 3. The [~~boards of cooperative educational services~~] NY polytechnical
6 institutes in any two or more supervisory districts may cooperate in the
7 provision of any of the services authorized by subdivision four of this
8 section. In such cases, the district superintendents of the respective
9 supervisory districts shall serve as an executive committee to carry out
10 the decision of the [~~boards of cooperative educational services~~] NY
11 polytechnical institutes in their respective districts. Agreements may
12 be made by such [~~boards~~] institutes arranging for such cooperative
13 services on such terms and conditions as may be agreed upon and provid-
14 ing the method of allocation of the cost thereof. Such agreements may be
15 made for such period as may be approved by the commissioner but not to
16 exceed ten years. The terms of such agreement shall be binding upon such
17 [~~boards~~] institutes and their component districts for the period speci-
18 fied in such agreement.

19 4. [~~The board of cooperative educational services~~] A NY polytechnical
20 institute shall have the power and duty to:

21 a. (1) Appoint a district superintendent of schools in the manner
22 provided in section twenty-two hundred four of this chapter, and in its
23 discretion to provide for the payment of supplementary salary to the
24 district superintendent of schools by the supervisory district. The term
25 of any employment contract or agreement between a district superinten-
26 dent and the [~~board of cooperative educational services~~] NY polytechni-
27 cal institute that is entered into or amended on or after the effective
28 date of this subparagraph shall not exceed three years. Copies of
29 employment contracts and amendments to such contracts entered into
30 pursuant to this paragraph shall be filed with the commissioner within
31 five days of execution.

32 (2) Notwithstanding any inconsistent provision of law in no event
33 shall the total salary including amounts paid pursuant to section twen-
34 ty-two hundred nine of this chapter for district superintendents for the
35 two thousand nineteen--two thousand twenty school year or any subsequent
36 school year exceed: (i) one hundred six percent of the salary cap appli-
37 cable in the preceding school year, or (ii) ninety-eight percent of that
38 earned by the commissioner in the two thousand thirteen--two thousand
39 fourteen state fiscal year, whichever is less. In no event shall any
40 district superintendent be permitted to accumulate vacation or sick
41 leave credits in excess of the vacation and sick leave credits
42 managerial/confidential employees of the state are permitted to accumu-
43 late pursuant to regulations promulgated by the state civil service
44 commission, nor may any district superintendent at the time of sepa-
45 ration from service be compensated for accrued and unused vacation cred-
46 its or sick leave, or use accrued and unused sick leave for retirement
47 service credit or to pay for health insurance in retirement, at a rate
48 in excess of the rate permitted to managerial/confidential employees of
49 the state pursuant to regulations of the state civil service commission.
50 In addition to the payment of supplementary salary, a [~~board of cooper-~~
51 ~~ative educational services~~] NY polytechnical institute may provide for
52 the payment of all or a portion of the cost of insurance benefits for
53 the district superintendent of schools, including but not limited to
54 health insurance, disability insurance, life insurance or any other form
55 of insurance benefit made available to managerial/confidential employees
56 of the state; provided that any such payments for whole life, split

1 dollar or other life insurance policies having a cash value shall be
2 included in the total salary of the district superintendent for purposes
3 of this subparagraph, and provided further that any payments for the
4 employee contribution, co-pay or uncovered medical expenses under a
5 health insurance plan also shall be included in the total salary of the
6 district superintendent. Notwithstanding any other provision of law,
7 payments for such insurance benefits may be based on the district super-
8 intendent's total salary or the amount of ~~[his or her]~~ their supplemen-
9 tary salary only. Any payments for transportation or travel expenses in
10 excess of actual, documented expenses incurred in the performance of
11 duties for the ~~[board of cooperative educational services]~~ NY polytech-
12 nical institute or the state, and any other lump sum payment not specif-
13 ically excluded from total salary pursuant to this subparagraph, shall
14 be included in the total salary of the district superintendent for
15 purposes of this subparagraph. Nothing herein shall prohibit a district
16 superintendent from waiving any rights provided for in an existing
17 contract or agreement as hereafter prohibited in favor of revised
18 compensation or benefit provisions as permitted herein. In no event
19 shall the terms of the district superintendent's contract, including any
20 provisions relating to an increase in salary, compensation or other
21 benefits, be contingent upon the terms of any contract or collective
22 bargaining agreement between the ~~[board of cooperative educational~~
23 ~~services]~~ NY polytechnical institute and its teachers or other employ-
24 ees. The commissioner may adopt regulations for the purpose of imple-
25 menting the provisions of this paragraph.

26 (3) Notwithstanding any provision of law to the contrary, any employee
27 of a ~~[board of cooperative educational services]~~ NY polytechnical insti-
28 tute who is appointed as the district superintendent of schools shall
29 vacate ~~[his or her]~~ their prior position with the ~~[board of cooperative~~
30 ~~educational services]~~ NY polytechnical institute upon appointment as
31 district superintendent, and no district superintendent shall have a
32 contract of employment with the ~~[board of cooperative educational~~
33 ~~services]~~ NY polytechnical institute other than a contract entered
34 pursuant to this paragraph.

35 b. (1) Prepare, prior to the annual meeting of members of the boards
36 of education and school trustees, held as provided in paragraph o of
37 this subdivision, a tentative budget of expenditures for the program
38 costs, a tentative budget for capital costs, and a tentative budget for
39 the administration costs of the ~~[board of cooperative educational~~
40 ~~services]~~ NY polytechnical institute. Such budgets shall include the
41 proposed budget for the upcoming school year, the previous school year's
42 actual costs and the current school year's projected costs for each
43 object of expenditure. Such program, capital and administrative budgets
44 shall be separately delineated in accordance with the definition of
45 program, capital and administrative costs which shall be promulgated by
46 the commissioner after consultation with school district officials and
47 the director of the budget. Personal service costs for each budget shall
48 include the number of full-time equivalent positions funded and total
49 salary and, except as noted herein, fringe benefit costs for such posi-
50 tions by program. Each program budget shall also include the local and
51 statewide unit costs of such programs and services proposed for the
52 upcoming school year, such actual unit costs for the previous school
53 year, and the current school year's projected unit costs, all estab-
54 lished in accordance with paragraph d of this subdivision. The capital
55 budget shall include facility construction and lease expenditures
56 authorized pursuant to paragraphs p, t and u of this subdivision,

1 payments for the repayment of indebtedness related to capital projects,
2 payments for the acquisition or construction of facilities, sites or
3 additions, provided that such budget shall contain a rental, operations
4 and maintenance section that will include base rent costs, total rent
5 costs, operations and maintenance charges, cost per square foot for each
6 facility rented or leased by such [~~board of cooperative educational~~
7 ~~services~~] NY polytechnical institute, and any and all expenditures asso-
8 ciated with custodial salaries and benefits, service contracts,
9 supplies, utilities, maintenance and repairs for such facilities, and
10 that such budget shall include the annual debt service and total debt
11 for all facilities financed by bonds or notes of the component
12 districts, annual rental and lease payments and total rental and lease
13 costs for all facilities rented by such [~~board~~] institute; such capital
14 budget shall also include expenditures resulting from court judgments
15 and orders from administrative bodies or officers, and, to the extent a
16 [~~board's~~] institute's administrative budget has been adopted, one-time
17 costs incurred in the first year in which an employee retires. The
18 administrative budget shall include, but need not be limited to, office
19 and central administrative expenses, traveling expenses and salaries and
20 benefits of supervisors and administrative personnel necessary to carry
21 out the central administrative duties of the supervisory district, any
22 and all expenditures associated with the [~~board~~] institute, the office
23 of district superintendent, general administration, central support
24 services, planning, and all other administrative activities. Such admin-
25 istrative budget shall also specify the amount of supplementary salary
26 and benefits, if any, which the [~~board~~] institute determines should be
27 paid to the district superintendent of schools and the [~~board~~] institute
28 shall append to such budget a detailed statement of the total compen-
29 sation to be paid the district superintendent of schools by the [~~board~~]
30 institute, including a delineation of the salary, annualized cost of
31 benefits and any in-kind or other form of remuneration to be paid, plus,
32 commencing with the presentation of the budget for the nineteen hundred
33 ninety-seven--ninety-eight school year, a list of items of expense
34 eligible for reimbursement on expense accounts in the ensuing school
35 year and a statement of the amount of expenses paid to the district
36 superintendent of schools in the prior year for purposes of carrying out
37 [~~his or her~~] their official duties.

38 (2) The [~~board of cooperative educational services~~] NY polytechnical
39 institute shall provide copies of such tentative budgets and attachments
40 to the trustees or board of education of each component school district
41 of the [~~board of cooperative educational services~~] NY polytechnical
42 institute at least ten days prior to the annual meeting held pursuant to
43 paragraph o of this subdivision. Such trustees or boards of education
44 shall make such budgets available to the residents of their respective
45 school districts upon request.

46 (3) The [~~board of cooperative educational services~~] NY polytechnical
47 institute shall comply with any reasonable requests for additional
48 information not contained in such budgets which may be requested prior
49 to the annual meeting held pursuant to paragraph o of this subdivision.

50 (4) The [~~board of cooperative educational services~~] NY polytechnical
51 institute shall give public notice of the annual meeting held pursuant
52 to paragraph o of this subdivision by publishing a notice once each week
53 within the two weeks preceding the annual meeting held as provided in
54 paragraph o of this subdivision, the first publication to be at least
55 fourteen days before such meeting, in two newspapers if there be two, or
56 in one newspaper if there shall be but one, having general circulation

1 within the [~~board of cooperative educational services~~] NY polytechnical
2 institute. If no newspaper shall have general circulation therein, said
3 notice shall be posted in at least twenty of the most public places in
4 the [~~board of cooperative educational services~~] NY polytechnical insti-
5 tute at least fourteen days before such meeting. Such notice shall state
6 that the tentative budgets will be presented by the [~~board of cooper-~~
7 ~~ative educational services~~] NY polytechnical institute to the trustees
8 or board of education of each component school district of the [~~board of~~
9 ~~cooperative educational services~~] NY polytechnical institute in attend-
10 ance at such meeting. Such notice shall also include a summary of the
11 tentative administrative, capital and program budgets in a form
12 prescribed by the commissioner. The summary of the administrative budget
13 shall include, but shall not be limited to, the salary and benefits of
14 supervisors and administrative personnel of the [~~board of cooperative~~
15 ~~educational services~~] NY polytechnical institute and the total compen-
16 sation payable to the district superintendent of schools. Such notice
17 shall also indicate when a copy of the tentative budgets will be avail-
18 able for inspection by the public during regular business hours at one
19 or more locations specified in the notice.

20 (5) The trustees or board of education of each component school
21 district of the [~~board of cooperative educational services~~] NY polytech-
22 nical institute shall adopt a public resolution which shall approve or
23 disapprove such tentative administrative budget at a regular or special
24 meeting to be held within the component district on the date designated
25 pursuant to subdivision two-a of this section as the date for election
26 of members of the [~~board of cooperative educational services~~] NY poly-
27 technical institute, or in the case of the board of education of a
28 central high school district on the regular business day next following
29 such designated date.

30 If the resolutions adopted by the trustees or boards of education of a
31 majority of the component school districts of the [~~board of cooperative~~
32 ~~educational services~~] NY polytechnical institute actually voting approve
33 the tentative administrative budget, the [~~board of cooperative educa-~~
34 ~~tional services~~] NY polytechnical institute may adopt the tentative
35 administrative budget without modification. If a majority of the compo-
36 nent school districts actually voting fail to adopt resolutions approv-
37 ing such tentative administrative budget, or if the number of component
38 school districts approving the budget equals the number of school
39 districts disapproving the budget, the [~~board of cooperative educational~~
40 ~~services~~] NY polytechnical institute shall prepare and adopt a contin-
41 gency administrative budget which shall not exceed the amount of the
42 administrative budget of the [~~board of cooperative educational services~~]
43 NY polytechnical institute for the previous school year except to accom-
44 modate expenditure increases attributable to supplemental retirement
45 allowances payable pursuant to section five hundred thirty-two of this
46 chapter and section seventy-eight of the retirement and social security
47 law.

48 (6) Notwithstanding any other provision of this section, any component
49 school district which will be transferred to a new supervisory district
50 as of July first next succeeding the date designated for the vote on the
51 tentative administrative budget shall vote on the administrative budget
52 of the [~~board of cooperative educational services~~] NY polytechnical
53 institute to which it will be transferred, as if such transfer had
54 already occurred. Where the commissioner has issued an order for the
55 merger of two or more supervisory districts to take effect on July
56 first, in the school year immediately preceding the merger, the [~~boards~~

1 ~~of cooperative educational services~~ NY polytechnical institutes to be
2 merged shall jointly prepare a program, administrative and capital budg-
3 et for the merged ~~[board of cooperative educational services]~~ NY poly-
4 technical institute and shall jointly conduct a vote on the tentative
5 administrative budget of the merged ~~[board of cooperative educational~~
6 ~~services]~~ NY polytechnical institute in accordance with this paragraph
7 as if the merger was already in effect. In the event such a merger does
8 not take effect on July first, the commissioner shall be authorized to
9 order the ~~[boards of cooperative educational services]~~ NY polytechnical
10 institutes to be merged to develop program, administrative and capital
11 budgets and conduct a vote on administrative budgets in the manner
12 prescribed by this section on dates other than those specified in this
13 section.

14 (7) Each component school district shall transmit the resolution
15 either approving or disapproving the ~~[board of cooperative educational~~
16 ~~services]~~ NY polytechnical institute's tentative administrative budget
17 no later than one business day after the adoption of such resolution.
18 The ~~[board of cooperative educational services]~~ NY polytechnical insti-
19 tute shall, no later than the fifteenth day of May, adopt the final
20 program, capital and administrative budgets for the ensuing year. Except
21 as provided in paragraph d of this subdivision, subparagraph (a) of
22 paragraph p of this subdivision, and subdivision one of section nineteen
23 hundred fifty-one of this article, such administrative and capital budg-
24 ets, when so adopted, after deducting state aid applicable thereto,
25 shall be a charge against all of the component school districts in the
26 supervisory district and each component school district's proportionate
27 share shall be determined by the ~~[board of cooperative educational~~
28 ~~services]~~ NY polytechnical institute according to weighted average daily
29 attendance or according to true valuation or according to resident
30 public school district enrollment as defined in paragraph n of subdivi-
31 sion one of section thirty-six hundred two of this chapter except that
32 only one method shall be applied among the component districts of a
33 ~~[board of cooperative educational services]~~ NY polytechnical institute
34 in any year, unless otherwise provided by law. In a merged supervisory
35 district in the county of Suffolk each component school district's
36 proportionate share of such administrative and capital budgets may be
37 determined according to weighted average daily attendance, according to
38 true valuation, or according to using the weighted average daily attend-
39 ance for a certain percentage of the cost and true valuation for a
40 certain percentage of administrative and capital costs. Such costs, in a
41 merged supervisory district in the county of Suffolk, apportioned by
42 using weighted average daily attendance and true valuation shall be
43 subject to adjustment by the ~~[board of cooperative educational services]~~
44 NY polytechnical institute in a manner that will minimize the annual
45 change in costs for the greatest number of component districts. Such
46 percentages shall be established by the ~~[board of cooperative educa-~~
47 ~~tional services]~~ NY polytechnical institute upon the approval of the
48 component districts subject to the final approval of the commissioner.
49 It is further provided that such administrative budget approved by the
50 ~~[board]~~ institute shall be subject to review by the commissioner to
51 determine: (i) the level of administrative savings achieved by the merg-
52 er and (ii) if such administrative savings equals or exceeds the level
53 identified by the merger planning task force appointed by the district
54 superintendent. If the ~~[board of cooperative educational services]~~ NY
55 polytechnical institute determines to change the method of apportioning
56 administrative costs and capital expenses from that followed in the

1 previous year, such determination may be made only if the [~~board of~~
2 ~~cooperative educational services~~] NY polytechnical institute has
3 conducted a hearing at a regular or special meeting of such [~~board~~
4 institute] which all members of boards of education and school trustees
5 have been invited to attend, such hearing to be held at least thirty
6 days prior to the annual meeting of members of boards of education and
7 school trustees. In the Putnam/North Westchester [~~board of cooperative~~
8 ~~educational services~~] NY polytechnical institute, each component
9 district's proportionate share of such administrative and capital budg-
10 ets may also be determined by using the weighted average daily attend-
11 ance for a certain percentage and the true valuation for a certain
12 percentage. Such percentages shall be applied according to clause (i) of
13 this subparagraph.

14 (i) The three methods of apportionment of administrative and capital
15 expenses are as follows: (1) in accordance with the ratio which the
16 component school district's total full or true valuation in effect at
17 the time of the adoption of the budget bears to the total true or full
18 valuation of all of the component school districts within the [~~board of~~
19 ~~cooperative educational services~~] NY polytechnical institute, (2) by
20 dividing the total amount of such administrative and capital expenses by
21 the total weighted average daily attendance of pupils residing in all
22 component school districts contained within the [~~board of cooperative~~
23 ~~educational services~~] NY polytechnical institute and attending a public
24 school and multiplying by the weighted average daily attendance of such
25 resident pupils in each of the component school districts, or (3) by
26 dividing the total amount of such administrative and capital expenses by
27 the total resident public school district enrollment of all component
28 school districts contained within the [~~board of cooperative educational~~
29 ~~services~~] NY polytechnical institute and multiplying by the resident
30 public school district enrollment of the component school districts. In
31 addition, in a merged supervisory district in the county of Suffolk,
32 where a combination of the first and second methods could be applied as
33 provided in the opening paragraph of this subparagraph may be utilized.
34 In the Putnam/North Westchester [~~board of cooperative educational~~
35 ~~services~~] NY polytechnical institute, where a combination of the first
36 and second methods is utilized, the percentages shall be used as
37 follows: for the two thousand five-two thousand six school year, ninety
38 percent using true valuation and ten percent using the weighted average
39 daily attendance; for the two thousand six-two thousand seven school
40 year, eighty percent using true valuation and twenty percent using the
41 weighted average daily attendance; for the two thousand seven-two thou-
42 sand eight school year, seventy percent using true valuation and thirty
43 percent using the weighted average daily attendance; for the two thou-
44 sand eight-two thousand nine school year, sixty percent using true val-
45 ation and forty percent using the weighted average daily attendance; and
46 for the two thousand nine-two thousand ten school year and any school
47 year thereafter, fifty percent using true valuation and fifty percent
48 using the weighted average daily attendance.

49 (ii) If the [~~board of cooperative educational services~~] NY polytechni-
50 cal institute chooses to apportion administrative costs and capital
51 expenses according to full or true valuation, special school districts
52 authorized to receive state aid in accordance with chapter five hundred
53 sixty-six of the laws of nineteen hundred sixty-seven, as amended, shall
54 have their full value for purposes of this section computed by multiply-
55 ing the resident weighted average daily attendance by the state average
56 full valuation per pupil as established by the commissioner for the year

1 in which the budget is adopted. The school authorities of each component
2 school district shall add such amount to the budget of such component
3 districts and shall pay such amount to the treasurer of the ~~[board of~~
4 ~~cooperative educational services]~~ NY polytechnical institute and shall
5 be paid out by the treasurer upon the orders of the ~~[board of cooper-~~
6 ~~ative educational services]~~ NY polytechnical institute issued and
7 executed in pursuance of a resolution of said ~~[board]~~ institute.

8 c. Make or cause to be made surveys to determine the need for cooper-
9 ative educational services in the supervisory district and present the
10 findings of their surveys to local school authorities. Each ~~[board of~~
11 ~~cooperative educational services]~~ NY polytechnical institute shall
12 prepare long range program plans, including special education and career
13 education program plans, to meet the projected need for such cooperative
14 educational services in the supervisory district for the next five years
15 as may be specified by the commissioner, and shall keep on file and make
16 available for public inspection and review by the commissioner such
17 plans and thereafter annual revisions of such plans on or before the
18 first day of December of each year, provided that such plans may be
19 incorporated into a ~~[board of cooperative educational services]~~ NY poly-
20 technical institute district-wide comprehensive plan.

21 d. (1) Aidable shared services. At the request of component school
22 districts, and with the approval of the commissioner, provide any of the
23 following services on a cooperative basis: school nurse teacher, attend-
24 ance supervisor, supervisor of teachers, dental hygienist, psychologist,
25 teachers of art, music, physical education, career education subjects,
26 guidance counsellors, operation of special classes for students with
27 disabilities, as such term is defined in article eighty-nine of this
28 chapter; pupil and financial accounting service by means of mechanical
29 equipment; maintenance and operation of cafeteria or restaurant service
30 for the use of pupils and teachers while at school, and such other
31 services as the commissioner may approve. Such cafeteria or restaurant
32 service may be used by the community for school related functions and
33 activities and to furnish meals to the elderly residents of the
34 district, sixty years of age or older. Utilization by elderly residents
35 or school related groups shall be subject to the approval of the board
36 of education. Charges shall be sufficient to bear the direct cost of
37 preparation and serving of such meals, exclusive of any other available
38 reimbursements.

39 (2) Certain services prohibited. Commencing with the nineteen hundred
40 ninety-seven--ninety-eight school year, the commissioner shall not be
41 authorized to approve as an aidable shared service pursuant to this
42 subdivision any cooperative maintenance services or municipal services,
43 including but not limited to, lawn mowing services and heating, venti-
44 lation or air conditioning repair or maintenance or trash collection, or
45 any other municipal services as defined by the commissioner. On and
46 after the effective date of this paragraph, the commissioner shall not
47 approve, as an aidable shared service, any new cooperative maintenance
48 or municipal services for the nineteen hundred ninety-six--ninety-seven
49 school year, provided that the commissioner may approve the continuation
50 of such services for one year if provided in the nineteen hundred nine-
51 ty-five--ninety-six school year. No service provided to an out-of-state
52 school district pursuant to subparagraph ten of paragraph h of this
53 subdivision shall be eligible for aid.

54 (2-a) Cost effectiveness of instructional and non-instructional tech-
55 nology. Notwithstanding any other provision of this section to the
56 contrary, expenditures incurred pursuant to purchase and/or installation

contracts entered into on or after January fifteenth, two thousand, for the following categories of instructional and non-instructional technology purchase and installation:

- (i) computer equipment,
- (ii) conduits,
- (iii) wiring,
- (iv) powering and testing of hardware installations,
- (v) all costs associated with lease or purchase of local or wide area network hardware located on district property, and

(vi) incidental costs for original purchase and installation of hardware, including installation of basic operating systems software required for hardware testing, shall not be considered an aidable shared service unless the component school district is able to demonstrate that such shared service would be more cost-effective than would otherwise be possible if such services were to be purchased without the involvement of a ~~[board of cooperative educational services]~~ NY polytechnical institute.

Any aid that may be payable for such shared service pursuant to subdivision five of this section shall be excluded in the demonstration and determination of cost-effectiveness and cost savings pursuant to this subdivision. The commissioner shall issue guidelines to advise component school districts in their determination of cost-effectiveness. Notwithstanding any other provision of law, if a component school district determines that any instructional and non-instructional technology purchase and installation from the ~~[board of cooperative educational services]~~ NY polytechnical institute are not cost effective, as determined pursuant to this paragraph, the commissioner shall, upon request, assist the school district to enter into a cooperative service agreement (CO-SER) with another ~~[BOCES]~~ NY polytechnical institute, which is cost effective in the provision of such technology purchases and installations.

(3) Requests for shared services; operating plan; required notice. Requests for such shared services shall be filed by component school districts with the ~~[board of cooperative educational services]~~ NY polytechnical institute not later than the first day of February of each year, provided that such requests shall not be binding upon the component school district. The ~~[board of cooperative educational services]~~ NY polytechnical institute shall submit its proposed annual operating plan for the ensuing school year to the department for approval not later than the fifteenth day of February of each year. Such ~~[board]~~ institute shall, through its executive officer, notify each component school district on or before the tenth day of March concerning the services which have been approved by the commissioner to be made available for the ensuing school year. Such notice shall set forth the local uniform cost of each such service, based on (i) anticipated participation in the ensuing school year, or (ii) participation in the current year, or (iii) a two or three year average including participation in the current year, which unit cost shall be the same for all participating component districts and shall be based upon a uniform methodology approved annually by at least three-quarters of the participating component school districts after consultation by local school officials with their respective boards; provided, however, such unit cost shall be subject to final adjustment for programs for students with disabilities based on actual participation in accordance with regulations of the commissioner. Notwithstanding the determination of the local uniform unit cost methodology selected in accordance with this paragraph, each ~~[board of cooperative education services]~~ NY polytechnical institute shall annually

1 report to the commissioner the budgeted unit cost and, when available,
2 the actual unit cost of such programs and services, in accordance with
3 both the local uniform unit cost methodology and a statewide uniform
4 unit cost methodology prescribed by the commissioner by regulation,
5 where the budgeted statewide unit cost shall be based on the anticipated
6 participation in the ensuing year and the actual statewide unit cost
7 shall be based on actual participation through the end of each year.

8 (4) Contracts for shared services; allocation of costs. Each component
9 school district shall on or before the first day of May following such
10 notification notify the [~~board of cooperative educational services~~] NY
11 polytechnical institute of its intention to participate or not to
12 participate in such shared services and the specific services which such
13 district elects to utilize. Each participating component school district
14 shall be required to pay the [~~board of cooperative educational services~~]
15 NY polytechnical institute for the cost of the services set forth in
16 such notification, except for adjustments caused by subsequent unantic-
17 ipated changes in the district's enrollment. The [~~board of cooperative~~
18 ~~educational services~~] NY polytechnical institute shall enter into
19 contracts with its component school districts for such requested
20 services. A copy of each executed contract for such purpose shall be
21 filed with the commissioner by the [~~board of cooperative educational~~
22 ~~services~~] NY polytechnical institute on or prior to the first day of
23 August of each year. Notwithstanding the provisions of paragraph b of
24 this subdivision, any component school district which does not elect to
25 participate in any such specific cooperative services authorized under
26 this paragraph shall not be required to pay any share of the moneys
27 provided in the budget as salaries of teachers or other personnel
28 employed in providing such service, for equipment and supplies for such
29 service or for transportation of pupils to and from the place where such
30 service is maintained. Provided, further, that a [~~board of cooperative~~
31 ~~educational services~~] NY polytechnical institute may allocate the cost
32 of such services to component school districts in accordance with terms
33 agreed upon between such [~~board~~] institute and three-quarters of the
34 boards of education and trustees of local school districts participating
35 in the service.

36 (5) Operating plan and budget; unanticipated shared services. The
37 [~~board of cooperative educational services~~] NY polytechnical institute
38 shall submit to the commissioner on or before the first day of June an
39 operating plan and budget based upon the request for services which it
40 has received from its component school districts. Such submission shall
41 include the budgeted unit cost of programs and services based on both
42 the local and the statewide uniform unit cost methodologies for each
43 program and service offered by the [~~board of cooperative educational~~
44 ~~services~~] NY polytechnical institute. A [~~board of cooperative educa-~~
45 ~~tional services~~] NY polytechnical institute which receives requests for
46 unanticipated shared services subsequent to the adoption of its budget
47 shall submit an amended operating plan including such additional shared
48 services to the commissioner, together with a statement from the chief
49 school administrator of each school district which has requested such
50 services indicating the availability of funds in the budget of the
51 school district to pay for such district's share of the cost of such
52 additional services. Such amended plan shall be submitted in the manner
53 and form prescribed by regulations of the commissioner. The [~~board of~~
54 ~~cooperative educational services~~] NY polytechnical institute shall allo-
55 cate the cost of providing such additional shared services among the
56 component school districts which have requested such services, and shall

1 contract with the component school districts for such services. A copy
2 of each contract for this purpose shall be filed by the [~~board of coop-~~
3 ~~erative educational services~~] NY polytechnical institute with the
4 commissioner not more than thirty days from its execution. An annual
5 program report and evaluation for each school year as prescribed by the
6 commissioner, shall be submitted by the [~~board of cooperative educa-~~
7 ~~tional services~~] NY polytechnical institute to the commissioner on or
8 before the first day of September following such school year.

9 e. Upon the recommendation of the district superintendent, employ such
10 administrative assistants, teachers, supervisors, clerical help and
11 other personnel as may be necessary to carry out its program.

12 f. Receive all reimbursements from public funds on account of the
13 cooperative educational services performed under its jurisdiction, and
14 allocate the costs of cooperative educational activities and shared
15 services including administrative and clerical costs against the compo-
16 nent school districts and receive and disburse the same, and to appor-
17 tion surpluses and assessments for services on the basis of partic-
18 ipation to those components and to those school districts outside the
19 [~~board of cooperative educational services~~] NY polytechnical institute
20 contracting for such programs, and to apportion surpluses and assess-
21 ments for administrative expenses to all component districts. All such
22 apportionments shall be made annually.

23 g. Borrow money in anticipation of revenue due the [~~board of cooper-~~
24 ~~ative educational services~~] NY polytechnical institute.

25 h. (1) Arrange cooperative educational services with and if necessary
26 make contracts covering same with other public agencies for shared
27 services and to produce educational television materials and programs,
28 and to own or lease television facilities and to enter into appropriate
29 contracts concerning the same.

30 (2) To enter into contracts with the United States of America, the
31 State of New York, any school district, community college, public insti-
32 tution of higher education, independent institution of higher education
33 eligible for aid under section sixty-four hundred one of this chapter,
34 public libraries, or public agency in relation to the program of the
35 [~~board of cooperative educational services~~] NY polytechnical institute,
36 and any such school district, community college, institution of higher
37 education, or public agency is hereby authorized and empowered to do and
38 perform any and all acts necessary or convenient in relation to the
39 performance of any such contracts.

40 (3) To enter into contracts with school districts which are component
41 districts in the [~~board of cooperative educational services~~] NY poly-
42 technical institute for the education by such component school district
43 or districts of children who reside within the [~~board of cooperative~~
44 ~~educational services~~] NY polytechnical institute in the program of the
45 [~~board of cooperative educational services~~] NY polytechnical institute,
46 and for all purposes of this chapter in such event such children shall
47 be deemed attending classes maintained by the [~~board of cooperative~~
48 ~~educational services~~] NY polytechnical institute. School districts are
49 hereby authorized and empowered to do and perform any and all acts
50 necessary or convenient in relation to the performance of any such
51 contracts.

52 (4) To enter into contracts with nonpublic schools to provide data
53 processing services for pupil personnel records and other administrative
54 records of the nonpublic schools and the processing of fingerprints
55 utilized in criminal history record checks for those nonpublic schools
56 that elect to require such criminal history record checks pursuant to

1 paragraph (a) of subdivision thirty of section three hundred five of
2 this chapter.

3 (5) To enter into contracts with the United States of America, the
4 state of New York, any community college, agricultural and technical
5 college or other public agency for the purpose of providing career
6 education programs to such agencies. Any such proposed contract shall be
7 subject to the review and approval of the commissioner, who may only
8 approve such proposed contract when, in [~~his~~] their opinion, such
9 contract will result in a more economical utilization of existing career
10 and career education resources than would be achieved were such contract
11 not approved. The commissioner shall issue a finding in writing in
12 making all determinations pursuant to this article.

13 (6) To enter into contracts with not-for-profit corporations to
14 participate in federal programs relating to career training and experi-
15 ence. Any such proposed contract shall be subject to review and approval
16 of the commissioner, who may approve such proposed contract only when in
17 [~~his~~] their opinion such contract will result in increased or improved
18 career opportunities. The commissioner shall issue a finding in writing
19 in making all determinations pursuant to this subparagraph.

20 (7) To enter into contracts with the state of New York, any community
21 college, agricultural and technical college, or public agency for the
22 purpose of providing electronic data processing services to such agen-
23 cies. Any such proposed contract shall be subject to the review and
24 approval of the commissioner, who may only approve such proposed
25 contract when, in [~~his~~] their opinion, such contract will not disrupt
26 the level of services provided to component school districts and will
27 result in a more economical utilization of existing [~~board of cooper-~~
28 ~~ative educational services~~] NY polytechnical institute computer facili-
29 ties. The commissioner shall issue a finding in writing in making all
30 determinations pursuant to this subparagraph.

31 (8) To enter into contracts with the commissioner of the office of
32 children and family services pursuant to subdivision six-a of section
33 thirty-two hundred two of this chapter to provide to such office, for
34 the benefit of youth in its custody, any special education programs,
35 related services, career and technical education services and music, art
36 and foreign language programs provided by the [~~board of cooperative~~
37 ~~educational services~~] NY polytechnical institute to component school
38 districts. Any such proposed contract shall be subject to the review and
39 approval of the commissioner to determine that it is an approved cooper-
40 ative educational service. Services provided pursuant to such contracts
41 shall be provided at cost, and the [~~board of cooperative educational~~
42 ~~services~~] NY polytechnical institute shall not be authorized to charge
43 any costs incurred in providing such services to its component school
44 districts.

45 (10) To enter into contracts of no more than five years and subject to
46 the sunset date of this subparagraph, with out-of-state schools for: (a)
47 special education; and/or (b) career and technical education services;
48 and/or (c) for the use of existing products that demonstrate how to map
49 the next generation standards to assessments; and/or (d) providing
50 access to existing webinars or online courses relating to implementation
51 of the next generation standards; for providing professional development
52 to educators; and/or (e) technology products developed for the use of
53 school districts located in New York state, including computer programs
54 and software packages that help students learn and assist districts in
55 achieving greater efficiencies. For purposes of this subparagraph, an
56 out-of-state school shall mean a public elementary or secondary school

1 or a degree granting institution of higher education, located outside of
2 New York state; provided further for purposes of providing services
3 authorized in clauses (c), (d) and (e) of this subparagraph, out-of-
4 state shall also include schools located outside the continental United
5 States. Any contract shall be approved by the commissioner, the [~~board~~
6 ~~of cooperative educational services~~] NY polytechnical institute and the
7 district superintendent of schools, provided such services are made
8 available to any school district within the supervisory district and
9 that the requirements of this subparagraph are met. Contracts must be
10 executed by the [~~board of cooperative educational services~~] NY polytech-
11 nical institute and the trustees or boards of education of such out-of-
12 state schools and shall only authorize out-of-state students to partic-
13 ipate in an instructional program if such services are available to all
14 eligible students in New York state schools in the component districts
15 and the number of participating out-of-state students only comprises up
16 to five percent of the total number of the total enrolled students in
17 the instructional program at the [~~board of cooperative educational~~
18 ~~services~~] NY polytechnical institute and that the [~~board of cooperative~~
19 ~~educational services~~] NY polytechnical institute spends no more than
20 thirty percent of its employees' time on services to out-of-state
21 schools pursuant to this subparagraph. To be approved by the commis-
22 sioner, the contract and any business plan, shall demonstrate that any
23 services provided to out-of-state schools pursuant to this subparagraph
24 shall not result in any additional costs being imposed on component
25 school districts and that any payments received by the [~~board of cooper-~~
26 ~~ative educational services~~] NY polytechnical institute for services
27 provided in this subparagraph that exceed any cost to the [~~board of~~
28 ~~cooperative educational services~~] NY polytechnical institute for provid-
29 ing such services shall be applied to reduce the costs of aidable shared
30 services allocated to component school districts pursuant to paragraph d
31 of this subdivision and shall also be applied to reduce the approved
32 cost of services pursuant to subdivision five of this section. Services
33 provided by a [~~board of cooperative educational services~~] NY polytechni-
34 cal institute to component districts at the time of approval of a
35 contract under this paragraph shall not be reduced or eliminated solely
36 due to a [~~board of cooperative educational services~~] NY polytechnical
37 institute's performance of services to out-of-state schools pursuant to
38 this paragraph.

39 (11) To enter into contracts with individual public libraries or
40 public library systems for the purpose of providing high-speed telecom-
41 munications services including, but not limited to, high-speed internet
42 services. Any such proposed contract shall be subject to the review and
43 approval of the commissioner, who may only approve such proposed
44 contract when, in such commissioner's opinion, such contract: (a) will
45 result in a more economical utilization of existing [~~boards of cooper-~~
46 ~~ative educational services~~] NY polytechnical institutes high-speed tele-
47 communications services or resources than would be achieved were such
48 contract not approved; (b) will not disrupt the level of services to
49 component school districts; and (c) will result in a more economical
50 utilization of existing library resources. The commissioner shall issue
51 a finding, in writing, making any determination pursuant to this subpar-
52 agraph. Such services to public libraries and library systems shall be
53 provided at cost and shall not be eligible for aid pursuant to subdivi-
54 sion five of this section.

55 (12) To enter into contracts with preschool special education program
56 providers approved pursuant to section forty-four hundred ten of this

chapter to process services relating to online application systems for educators.

(13) To establish, upon local interest from one or more component school districts and subject to approval by the [~~BOCES board of education~~] NY polytechnical institute, an agriculture program that is designed to provide students with the skills required to work in, and help sustain New York's agriculture industry. Such program may include, but not be limited to, a partnership with farms and other agriculture entities in the state that provide students with hands-on experience combined with other educational opportunities.

i. Make such reports as are required by the commissioner of education.

j. Appoint one of its members as president, one of its members or another qualified voter in a district within the supervisory district as clerk and another qualified voter in a district within the supervisory district as treasurer. The duties of the clerk and treasurer shall be the same as those established by statute and regulations of the commissioner of education for clerks and treasurers of union free school districts.

k. Designate a depository within the territorial limits of any component district for the deposit of money in the manner provided by section ten of the general municipal law. The receipt, deposit, investment and disbursement of moneys, and all procedures relating thereto, including, but not limited to the requirements for signatures, the appointment of a claims auditor to approve claims for purchases, and the optional use of claim forms, and the establishment of an internal audit function, shall be subject to the laws relating to union free school districts.

m. At the request of officials of school districts, created by legislative act, within the territory of a [~~board of cooperative educational services~~] NY polytechnical institute, provide services as outlined in paragraph d of this subdivision. For such districts, there shall be apportioned from state funds to the [~~board of cooperative educational services~~] NY polytechnical institute a sum equal to one-half the total cost of the approved services provided to such school district.

n. In those counties where taxes other than those on real property are applied to school purposes, the tax rate shall be deemed to be that which would result if such taxes had not been applied to school purposes.

o. A meeting of members of the boards of education and school trustees of the component districts shall be held during the month of April on or before the fifteenth day of April, on a date and at a place and hour designated by the president of the [~~board of cooperative educational services~~] NY polytechnical institute. The tentative administrative capital and program budgets of the [~~board of cooperative educational services~~] NY polytechnical institute shall be available for inspection of the boards of education and school trustees at such meeting. Notice of the date, time and place of such meeting shall be given to each of the members of the boards of education and trustees and to the clerk of each of the component school districts by mail addressed to the last known address of such persons at least fourteen days prior to the meeting.

p. (a) To rent suitable land, classrooms, offices or buildings upon or in which to maintain and conduct such cooperative educational services and administrative offices for a period not to exceed ten years for leases entered into with public entities and twenty years for leases entered into with non-public entities and to improve, alter, equip and furnish such land, classrooms, offices or buildings in a suitable manner

1 for such purposes, provided that: (1) before executing any lease, the
2 ~~[board]~~ NY polytechnical institute shall adopt a resolution determining
3 that such agreement is in the best financial interests of the superviso-
4 ry district and stating the basis of that determination; (2) the rental
5 payment shall not be more than the fair market value as determined by
6 the ~~[board]~~ NY polytechnical institute and provided to the commissioner;
7 (3) The ~~[board]~~ NY polytechnical institute discloses any conflict of
8 interest pursuant to subparagraph (c) of this paragraph, or any other
9 potential or perceived conflict of interest, to the commissioner, and in
10 the event of a conflict of interest or a potential or perceived conflict
11 of interest, provides detailed documentation to the commissioner demon-
12 strating that the cost of the lease is not more than fair market value;
13 and (4) upon the consent of the commissioner, renewal of such lease may
14 be made for a period of up to ten years. Nothing contained herein shall
15 prevent the ~~[board]~~ NY polytechnical institute from entering into a
16 lease agreement which provides for the cancellation of the same by such
17 ~~[board]~~ NY polytechnical institute upon: (i) a substantial increase or
18 decrease in pupil enrollment; or (ii) a substantial change in the needs
19 and requirements of a ~~[board of cooperative educational services]~~ NY
20 polytechnical institute with respect to facilities; or (iii) any other
21 change which substantially affects the needs or requirements of a ~~[board~~
22 ~~of cooperative educational services]~~ NY polytechnical institute or the
23 community in which it is located. No lease or other contract for the
24 occupancy of such land, classrooms, offices or buildings shall be
25 enforceable against the ~~[board of cooperative educational services]~~ NY
26 polytechnical institute unless and until the same shall have been
27 approved in writing by the commissioner. In the case of a lease longer
28 than ten years, the commissioner's written approval must include a find-
29 ing that the proposed lease complies with all requirements of this para-
30 graph and would be more cost-effective than a lease of ten years or
31 fewer.

32 (b) To lease unneeded facilities to public or private agencies, indi-
33 viduals, partnerships, or corporations, with the approval of the commis-
34 sioner of education, and for a term not to exceed five years, which
35 shall be renewable with the approval of the commissioner of education.

36 (c) ~~[if]~~ If any member ~~[of the board of education of the board of~~
37 ~~cooperative educational services]~~, officer or employee of the ~~[board of~~
38 ~~cooperative educational services]~~ NY polytechnical institute has a
39 financial interest, either direct or indirect, in any lease to which the
40 ~~[board of cooperative educational services]~~ NY polytechnical institute
41 is, or is to be, a party, such interest shall be disclosed to ~~[the board~~
42 ~~of education of]~~ such ~~[board of cooperative educational services]~~ NY
43 polytechnical institute in writing and shall be set forth in the minutes
44 of the board of education of the ~~[board of cooperative educational~~
45 ~~services]~~ NY polytechnical institute. The member, officer or employee
46 having such interest shall not participate in any action by the ~~[board~~
47 ~~of cooperative educational services]~~ NY polytechnical institute with
48 respect to such lease.

49 q. To provide transportation for pupils to and from classes maintained
50 by such ~~[board of cooperative educational services]~~ NY polytechnical
51 institute at the request of one or more school districts. School
52 districts and ~~[boards of cooperative educational services]~~ NY polytech-
53 nical institutes are authorized to enter into contracts with one or more
54 school districts, private contractors, and one or more ~~[boards of coop-~~
55 ~~erative educational services]~~ NY polytechnical institutes and any munic-
56 ipal corporation and authority to provide such transportation. ~~[Boards~~

1 ~~of cooperative educational services~~] NY polytechnical institutes may
2 operate joint or regional transportation systems for the transportation
3 authorized by articles seventy-three and eighty-nine of this chapter.
4 Such transportation, except when provided by a political subdivision or
5 a ~~[board of cooperative educational services]~~ NY polytechnical
6 institute, shall be subject to the requirements of subdivision fourteen
7 of section three hundred five of the education law.

8 r. With the approval of the district superintendent of schools and of
9 the commissioner of education to furnish any of the educational services
10 provided for in this section or any other section of law which author-
11 izes such ~~[board]~~ NY polytechnical institute to provide services to
12 school districts outside of the supervisory district, upon such terms as
13 may be agreed upon pursuant to contracts executed by such ~~[board of~~
14 ~~cooperative educational services]~~ NY polytechnical institute and the
15 trustees or boards of education of such school districts.

16 s. Provide ~~[workmen's]~~ workers' compensation coverage as provided in
17 the ~~[workmen's]~~ workers' compensation law for all teachers and other
18 employees for injuries incurred in actual performance of duty.

19 t. When authorized by the qualified voters of the ~~[board]~~ NY polytech-
20 nical institute, to purchase or otherwise acquire buildings, sites or
21 additions thereto, to purchase or otherwise acquire real property for
22 any lawful purpose and to construct buildings thereon.

23 u. To purchase necessary furniture, equipment, implements, apparatus
24 and supplies.

25 v. To accept gifts of real and personal property.

26 w. To furnish any of the services provided for in this section or any
27 other section of law which authorizes such ~~[board]~~ NY polytechnical
28 institute to provide services to school districts outside of the ~~[board~~
29 ~~of cooperative educational services]~~ NY polytechnical institute, with
30 the approval of the commissioner of education and of the district super-
31 intendent of schools or superintendents of schools having jurisdiction
32 of such school districts for a period of not to exceed five years, upon
33 such terms as may be agreed upon pursuant to contracts executed by the
34 ~~[board of cooperative educational services]~~ NY polytechnical institute
35 and the trustees or boards of education of such school districts.

36 x. To sell, when authorized by the qualified voters of the ~~[board of~~
37 ~~cooperative educational services]~~ NY polytechnical institute, any real
38 property the title of which is vested in the ~~[board of cooperative~~
39 ~~educational services]~~ NY polytechnical institute and buildings thereon
40 and appurtenances or any part thereof at such price and upon such terms
41 as shall be prescribed in such resolution; also, when so authorized, to
42 exchange real property belonging to the ~~[board of cooperative educa-~~
43 ~~tional services]~~ NY polytechnical institute for the purpose of improving
44 or changing school sites. The proceeds of such sale shall be applied as
45 provided by the resolution authorizing such sale.

46 y. To enter into agreements for the lease of personal property. Before
47 executing any such agreement, the ~~[board]~~ NY polytechnical institute
48 shall adopt a resolution determining that such agreement is in the best
49 financial interests of the ~~[board of cooperative educational services]~~
50 NY polytechnical institute, which resolution shall state the basis for
51 that determination. Such agreements shall be subject to the bidding
52 requirements of the general municipal law. No agreement for the lease of
53 personal property may be made for a term in excess of five years, begin-
54 ning with the time of receipt of possession of the subject of the lease.

55 ~~[y-]~~ y-1. Notwithstanding any other provision of this section and with
56 the consent of the commissioner, the ~~[board of cooperative educational~~

1 ~~services~~ NY polytechnical institute of the county of Oswego may enter
2 into contracts with the county of Oswego to provide transportation for
3 handicapped children in the county of Oswego to and from any facility or
4 institution for educating handicapped children within or without such
5 county.

6 z. To furnish, with the approval of the commissioner of education, for
7 an amount not less than the cost thereof, any of the instructional
8 support services provided to component school districts, including but
9 not limited to audio-visual materials and related media services,
10 curricular materials, in-service education programs and pupil personnel
11 services for the diagnosis of handicapping conditions, to any nonpublic,
12 not-for-profit elementary or secondary school in the state of New York
13 which provides the instruction required by section thirty-two hundred
14 four and article seventeen of this chapter, and which is chartered by
15 the regents or registered with or subject to examination and inspection
16 by the state education department.

17 aa. Notwithstanding any other provision of law, a ~~[board of cooper-~~
18 ~~ative educational services]~~ NY polytechnical institute may, with the
19 prior written approval of the commissioner, contract to accept from a
20 leasing company which has qualified as lowest bidder pursuant to the
21 provisions of the general municipal law a sum sufficient to purchase
22 data processing equipment from the manufacturer thereof, pay such sum to
23 the manufacturer of said equipment, receive the equipment and title
24 thereto and convey the same to the leasing company with a simultaneous
25 lease of the equipment from such leasing company to the ~~[board of coop-~~
26 ~~erative educational services]~~ NY polytechnical institute for a specified
27 period of years. Before any such agreement shall be executed, the ~~[board~~
28 ~~of cooperative educational services]~~ NY polytechnical institute shall
29 adopt a resolution determining that such agreement is in the best finan-
30 cial interest of the ~~[board]~~ institute. Such lease may be renewed for a
31 further specified period of years with the prior approval of the commis-
32 sioner of education.

33 bb. ~~[Boards of cooperative educational services]~~ NY polytechnical
34 institutes may provide academic and other programs and services in the
35 school year on a cooperative basis, including summer programs and
36 services. (1) Requests to provide such programs and services shall be
37 filed annually with the commissioner for approval.

38 (2) The commissioner may approve such programs and services only if
39 they (a) are requested by two or more component school districts; (b)
40 will provide additional opportunities for pupils; (c) will be expected
41 to result in a cost savings to the two or more component school
42 districts requesting the programs and services; (d) will provide greater
43 opportunity for pupils, including those with handicapping conditions, to
44 earn credit for academic subjects and (e) will insure a greater or more
45 appropriate use of facilities by ~~[boards of cooperative educational~~
46 ~~services]~~ NY polytechnical institutes.

47 (3) Such programs and services may include, but shall not be limited
48 to (a) expansion of itinerant teaching services in advanced academic
49 subject courses; (b) academic course offerings at regular ~~[board of~~
50 ~~cooperative educational services]~~ NY polytechnical institute centers or
51 at leased sites during the school year or summer school periods, as
52 requested by component districts; (c) block scheduling to enable
53 students to attend classes at a ~~[board of cooperative educational~~
54 ~~services]~~ NY polytechnical institute center for an entire school day;
55 (d) satellite offerings of specific concentrations or specializations
56 sponsored by ~~[boards of cooperative educational services]~~ NY polytechni-

1 cal institutes at local schools, with cross-contracting for services;
2 (e) expanded use of interactive television and other technologies to
3 offer academic courses on site or at component school districts; and (f)
4 programs of academic intervention services approved by the commissioner
5 designed to fulfill the academic intervention services requirement
6 imposed by the regulations of the commissioner, provided that in approv-
7 ing such programs and services for the two thousand--two thousand one
8 school year or thereafter, the commissioner shall assure that the
9 program or service results in a cost savings to all participating
10 districts, disregarding any aid pursuant to subdivision five of this
11 section.

12 (4) Such programs or services if approved by the commissioner, shall
13 be eligible for aid pursuant to subdivision five of this section.

14 (5) A teacher whose position in a school district is abolished as the
15 result of a takeover of an academic program by a [~~board or boards of~~
16 ~~cooperative educational services~~] NY polytechnical institute or insti-
17 tutes shall be accorded the rights provided by section thirty hundred
18 fourteen-a of this chapter.

19 (6) To implement a program or service approved under this paragraph, a
20 school district may transport pupils to the site of a [~~board of cooper-~~
21 ~~ative educational services~~] NY polytechnical institute program in those
22 cases where a pupil otherwise would be entitled to transportation but
23 for the fact that the program is at the [~~board of cooperative educa-~~
24 ~~tional services~~] NY polytechnical institute and not at a school of the
25 district. Under these circumstances, for those purposes of article
26 seventy-three of this chapter, the [~~board of cooperative educational~~
27 ~~services~~] NY polytechnical institute site shall be considered a school.

28 cc. Upon approval by a vote of the [~~board of cooperative educational~~
29 ~~services~~] NY polytechnical institute, establish and maintain a program
30 of reserves not to exceed three per centum of the annual budget of the
31 district to cover property loss and liability claims. Separate funds
32 shall be established for property losses and for liability claims, and
33 the separate identity of each such fund shall be maintained whether its
34 assets consist of cash or investments or both. The money in such funds
35 shall be deposited and secured in the manner provided by section ten of
36 the general municipal law. The moneys so deposited shall be accounted
37 for separate and apart from all other funds of the district, in the same
38 manner as provided in subdivision ten of section six-c of the general
39 municipal law. The moneys in such funds may be invested in the manner
40 provided by section eleven of the general municipal law. Any interest
41 earned or capital gain realized on the money so deposited shall accrue
42 and become part of such funds. Such reserve funds shall not be reduced
43 to amounts less than the total of the amounts estimated to be necessary
44 to cover incurred but unsettled claims or suits including expenses in
45 connection therewith other than by payments for losses for which such
46 reserve amounts were established, except that such [~~board~~] NY polytech-
47 nical institute may authorize use of such funds other than amounts allo-
48 cated for unsettled claims or suits including expenses in connection
49 therewith to pay premiums for insurance policies purchased to insure
50 subsequent losses in areas previously self-insured, in the event of
51 dissolution of the self-insurance plan.

52 dd. Provide for activities and services pertaining to the arts at the
53 request of one or more school districts. Such activities and services
54 shall be eligible for aid and shall include, but not be limited to,
55 programs with, and performances by, artists or organizations approved by
56 the commissioner of education. [~~Boards of cooperative educational~~

1 ~~services~~] NY polytechnical institutes are authorized to enter into
2 contracts with one or more school districts, or [~~boards of cooperative~~
3 ~~educational services~~] NY polytechnical institutes.

4 ee. Upon approval by a vote of the [~~board of cooperative educational~~
5 ~~services~~] NY polytechnical institute and of the boards of education of a
6 majority of the school districts participating in the instructional
7 program of such [~~board~~] NY polytechnical institute, establish a career
8 education instructional equipment reserve fund for the replacement and
9 purchase of advanced technology equipment used in instructional programs
10 conducted by the [~~board of cooperative educational services~~] NY poly-
11 technical institute. Subject to a limitation imposed by regulation of
12 the commissioner on the amount of money which may be maintained in
13 equipment reserve funds established pursuant to this paragraph, moneys
14 for such funds shall be obtained by including depreciation expenses for
15 the career education instructional equipment used in providing instruc-
16 tional services on a cooperative basis in the computation of the cost of
17 such services pursuant to paragraph d of this subdivision. Proceeds from
18 the sale of career education instructional equipment used in the
19 instructional programs of the [~~board~~] NY polytechnical institute and any
20 income earned on money deposited in a reserve fund shall become part of
21 such fund. The moneys in such funds shall be deposited and secured in
22 the manner provided by section ten of the general municipal law. The
23 moneys so deposited shall be accounted for separate and apart from all
24 other funds of the district, in the same manner as provided in subdivi-
25 sion ten of section six-c of the general municipal law. The moneys in
26 such funds may be invested by the [~~board of cooperative educational~~
27 ~~services~~] NY polytechnical institute in the manner provided by section
28 eleven of the general municipal law. In the event a career education
29 instructional equipment reserve fund is liquidated, the moneys in such
30 fund shall be allocated to the school districts participating in the
31 instructional programs of the [~~board of cooperative educational~~
32 ~~services~~] NY polytechnical institute in proportion to the value of the
33 contributions to the fund made by the participating districts. The
34 commissioner may promulgate regulations pertaining, but not limited, to
35 the amount of money to be retained in such reserve funds, the types of
36 equipment for which depreciation expenses may be charged and for which
37 expenditures may be made from the reserve fund, and required documenta-
38 tion of transactions relating to such funds.

39 ff. In its discretion, to purchase insurance against personal injuries
40 incurred by an authorized participant in a school volunteer program,
41 including but not limited to, those authorized participants who assist
42 on school buses, school sponsored transportation to and from school, or
43 on school sponsored field trips or any other school sponsored activity;
44 provided, however, that the injuries were incurred while the authorized
45 participant was functioning either within the scope of [~~his or her~~]
46 their authorized volunteer duties or under the direction of the board of
47 education, trustee, or [~~board of cooperative educational services~~] NY
48 polytechnical institute, or both.

49 gg. Notwithstanding any other provision of law, a [~~board of cooper-~~
50 ~~ative educational services~~] NY polytechnical institute may provide
51 training for employment to adults on a space available basis, with
52 consideration given to occupations and industries in demand, and estab-
53 lish reduced adult tuition rates for such training. For the purposes of
54 this section, training for employment for adults shall be offered
55 through state approved sequences or parts thereof of secondary career
56 education instruction. Adults may participate in such instruction and be

1 awarded certificates of completion, but they may not earn credit based
2 on their participation towards a high school diploma. Pursuant to
3 section forty-six hundred two of this chapter, a [~~board of cooperative~~
4 ~~educational services~~] NY polytechnical institute may establish such
5 reduced rates for participation of adults provided that participation is
6 limited to assigned instructional staff and currently used facilities in
7 scheduled secondary career education programs, and provided further that
8 such rates may not be less than fifty percent of the tuition rates
9 charged to school districts for the participation of secondary students
10 in the same programs, unless waived by the commissioner based on appli-
11 cation of the [~~board of cooperative educational services~~] NY polytechni-
12 cal institute. This participation of adults at reduced tuition rates
13 shall be in accordance with terms agreed upon by the [~~board of cooper-~~
14 ~~ative educational services~~] NY polytechnical institute and the component
15 school districts receiving such services but in no case shall such rates
16 result in extraordinary costs assigned to such component school
17 districts. [~~Boards of cooperative educational services~~] NY polytechnical
18 institutes which provide such training to adults shall submit to the
19 commissioner annually a report which shall include but not be limited to
20 the number of adults served, referral source, training sequences or
21 parts thereof taken by adult participants, the tuition rates charged to
22 them, and the gross revenues realized therefrom. For the purpose of this
23 paragraph, "adult" shall mean any person under the age of twenty-one who
24 has received a high school diploma or any person twenty-one years of age
25 or older, whether or not they have received a high school diploma.

26 hh. Provide for activities and services pertaining to environmental
27 education at the request of more than one school district. Such activ-
28 ities and services each of which shall not exceed three weeks duration
29 to be eligible for aid and shall include programs with and performances
30 by individuals or organizations with special skills essential to the
31 activity or service, but not appropriate to full time [~~boards of cooper-~~
32 ~~ative educational services~~] NY polytechnical institutes staff. [~~Boards~~
33 ~~of cooperative educational services~~] NY polytechnical institutes are
34 authorized to enter into contracts with individuals, public agencies,
35 and not-for-profit corporations to carry out the provisions of this
36 paragraph, subject to the approval of the commissioner.

37 ii. Enter into agreements with one or more financing agencies to
38 provide for the acceptance by such [~~board~~] NY polytechnical institute of
39 credit cards as a means of payment of course fees or tuition when
40 required for instructional programs offered by such [~~board of cooper-~~
41 ~~ative educational services~~] NY polytechnical institute. Any such agree-
42 ment shall govern the terms and conditions upon which a credit card
43 proffered as a means of payment of such fees or tuition shall be
44 accepted or declined and the manner in and conditions upon which the
45 financing agency shall pay to such [~~board~~] NY polytechnical institute
46 the amount of such fees or tuition paid by means of a credit card pursu-
47 ant to such agreement. Any such agreement may provide for the payment by
48 such [~~board~~] NY polytechnical institute to such financing agency of fees
49 for the services provided by such financing agency. For purposes of this
50 paragraph, the following terms shall have the following meanings:

51 (1) "Credit card" means any credit card, credit plate, charge plate,
52 courtesy card, debit card or other identification card or device issued
53 by a person to another person which may be used to obtain a cash advance
54 or a loan or credit or to purchase a lease property or services on the
55 credit of the person issuing the credit card or a person who has agreed

1 with the issuer to pay obligations arising from the use of a credit card
2 issued to another person.

3 (2) "Financing agency" means any agency defined as such in subdivision
4 eighteen of section four hundred one of the personal property law;

5 (3) "Person" means an individual, partnership, corporation or any
6 other legal or commercial entity.

7 jj. To contract to furnish any of the services provided for in this
8 section to component school districts of the [~~board of cooperative~~
9 ~~educational services~~] NY polytechnical institute, with the approval of
10 the commissioner, for a period not to exceed five years, upon such terms
11 as may be agreed upon pursuant to such contracts executed by the [~~board~~
12 ~~of cooperative educational services~~] NY polytechnical institute and the
13 trustees or boards of education of such school districts, provided that
14 any such contract entered into, extended or amended on or after July
15 first, nineteen hundred ninety-six shall be consistent with the require-
16 ments of paragraph d of this subdivision and subdivision one of section
17 nineteen hundred fifty-one of this article regarding the allocation of
18 costs to component school districts based upon the local uniform unit
19 cost of each such service.

20 kk. For the nineteen hundred ninety-seven--ninety-eight school year
21 and thereafter, the [~~board of cooperative educational services (BOCES)~~]
22 NY polytechnical institute shall prepare [~~a BOCES~~] an institute report
23 card, pursuant to regulations of the commissioner, and shall make it
24 publicly available by transmitting it to local newspapers of general
25 circulation, appending it to copies of the proposed administrative budg-
26 et made publicly available as required by law, making it available for
27 distribution at the annual meeting, and otherwise disseminating it as
28 required by the commissioner. Such report card shall include measures of
29 the academic performance of the [~~board of cooperative educational~~
30 ~~services~~] NY polytechnical institute, on a school by school or program
31 by program basis, and measures of the fiscal performance of the supervi-
32 sory district, as prescribed by the commissioner. Pursuant to regu-
33 lations of the commissioner, the report card shall also compare these
34 measures to statewide averages for all [~~boards of cooperative educa-~~
35 ~~tional services~~] NY polytechnical institutes. Such report card shall
36 include any information required by the commissioner.

37 ll. a. Shall require, for purposes of a criminal history record check,
38 the fingerprinting of all prospective employees pursuant to section
39 three thousand thirty-five of this chapter, who do not hold valid clear-
40 ance pursuant to such section or pursuant to section three thousand
41 four-b of this chapter or section five hundred nine-cc or twelve hundred
42 twenty-nine-d of the vehicle and traffic law. Prior to initiating the
43 fingerprinting process, the prospective employer shall furnish the
44 applicant with the form described in paragraph (c) of subdivision thirty
45 of section three hundred five of this chapter and shall obtain the
46 applicant's consent to the criminal history records search. Every set of
47 fingerprints taken pursuant to this paragraph shall be promptly submit-
48 ted to the commissioner for purposes of clearance for employment.

49 b. Upon the recommendation of the district superintendent, the [~~board~~]
50 NY polytechnical institute may conditionally appoint a prospective
51 employee. A request for conditional clearance shall be forwarded to the
52 commissioner along with the prospective employee's fingerprints, as
53 required by paragraph a of this subdivision. Such appointment shall not
54 commence until notification by the commissioner that the prospective
55 employee has been conditionally cleared for employment and shall termi-
56 nate forty-five days after such notification of conditional clearance or

1 when the prospective employer is notified of a determination by the
2 commissioner to grant or deny clearance, whichever occurs earlier, and
3 may not be extended or renewed unless the commissioner issues a new
4 conditional clearance after finding that there was good cause for fail-
5 ing to obtain clearance within such period, provided that if clearance
6 is granted, the appointment shall continue and the conditional status
7 shall be removed. Prior to commencement of such conditional appointment,
8 the prospective employer shall obtain a signed statement for conditional
9 appointment from the prospective employee, indicating whether, to the
10 best of [~~his or her~~] their knowledge, [~~he or she has~~] they have a pend-
11 ing criminal charge or criminal conviction in any jurisdiction outside
12 the state.

13 c. Upon the recommendation of the district superintendent, the [~~board~~]
14 NY polytechnical institute may make an emergency conditional appointment
15 when an unforeseen emergency vacancy has occurred. When such appointment
16 is made, the process for conditional appointment pursuant to paragraph b
17 of this subdivision must also be initiated. Emergency conditional
18 appointment may commence prior to notification from the commissioner on
19 conditional clearance but shall terminate twenty business days from the
20 date such appointment commences or when the prospective employer is
21 notified by the commissioner regarding conditional clearance, whichever
22 occurs earlier, provided that if conditional clearance is granted, the
23 appointment shall continue as a conditional appointment. Prior to the
24 commencement of such appointment, the prospective employer must obtain a
25 signed statement for emergency conditional appointment from the prospec-
26 tive employee, indicating whether, to the best of [~~his or her~~] their
27 knowledge, [~~he or she has~~] they have a pending criminal charge or crimi-
28 nal conviction in any jurisdiction. An unforeseen emergency vacancy
29 shall be defined as: (i) a vacancy that occurred less than ten business
30 days before the start of any school session, including summer school, or
31 during any school session, including summer school, without sufficient
32 notice to allow for clearance or conditional clearance; (ii) when no
33 other qualified person is available to fill the vacancy temporarily; and
34 (iii) when emergency conditional appointment is necessary to maintain
35 services which the district is legally required to provide or services
36 necessary to protect the health, education or safety of students or
37 staff. The provisions of subparagraph (i) of this paragraph shall not
38 apply if the [~~board~~] NY polytechnical institute finds that the district
39 has been unable to fill the vacancy despite good faith efforts to fill
40 such vacancy in a manner which would have allowed sufficient time for
41 clearance or conditional clearance.

42 d. Shall develop a policy for the safety of the children who have
43 contact with an employee holding conditional appointment or emergency
44 conditional appointment.

45 mm. Shall upon commencement and termination of employment of an
46 employee by the [~~board~~] NY polytechnical institute, provide the commis-
47 sioner with the name of and position held by such employee.

48 nn. Notwithstanding any other provision of this section and with the
49 consent of the commissioner, the Madison-Oneida [~~board of cooperative~~
50 ~~educational services~~] NY polytechnical institute may enter into a
51 contract or contracts not to exceed a total period of two years with the
52 Madison Cortland ARC to provide transportation maintenance and repair
53 services on buses owned and operated by the Madison Cortland ARC. The
54 Madison-Oneida [~~board of cooperative educational services~~] NY polytech-
55 nical institute shall not charge any portion of costs incurred pursuant
56 to this paragraph to its component school districts.

oo. Notwithstanding any other provision of law, a ~~[board of cooperative educational services]~~ NY polytechnical institute is authorized to enter into a memorandum of understanding with the trustees or board of education of a non-component school district, including city school districts of cities with one hundred twenty-five thousand inhabitants or more, to participate in a recovery high school program operated by the ~~[board of cooperative educational services]~~ NY polytechnical institute for a period not to exceed five years upon such terms as such trustees or board of education and the ~~[board of cooperative educational services]~~ NY polytechnical institute may mutually agree, provided that such agreement may provide for a charge for administration of the recovery high school program including capital costs, but participating non-component school districts shall not be liable for payment of administrative expenses as defined in paragraph b of this subdivision. Costs allocated to a participating non-component school district pursuant to a memorandum of understanding shall be aidable pursuant to subdivision five of this section to the same extent and on the same basis as costs allocated to a component school district.

4-a. The ~~[board of cooperative educational services]~~ NY polytechnical institute shall develop a plan to ensure that all instructional materials to be used in the programs of the ~~[board of cooperative educational services]~~ NY polytechnical institute are available in a usable alternative format for each student with a disability, as defined in section forty-four hundred one of this chapter, and for each student who is a qualified individual with a disability as defined in the rehabilitation act of nineteen hundred ninety-three (29 U.S.C. 701) as amended, in accordance with ~~[his or her]~~ their educational needs and course selection, at the same time as such instructional materials are available to non-disabled students. As part of such plan, the ~~[board of cooperative educational services]~~ NY polytechnical institute shall amend its procurement policies to give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats. For purposes of this subdivision, "alternative format" shall mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in a program of the ~~[board of cooperative educational services]~~ NY polytechnical institute, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in an approved format, as defined in the regulations of the commissioner. When an electronic file is provided, the plan shall specify how the format will be accessed by students and/or how the district shall convert to an accessible format. Such plan shall identify the needs of students enrolled in a program of the ~~[board of cooperative educational services]~~ NY polytechnical institute for alternative format materials. Such plan shall also specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials. Such plans shall include procedures to address the need to obtain materials in alternative format without delay for disabled students who enroll in a program of a ~~[board of cooperative educational services]~~ NY polytechnical institute during the school year.

5. a. Upon application by a ~~[board of cooperative educational services]~~ NY polytechnical institute, there shall be apportioned and paid from state funds to each ~~[board of cooperative educational services]~~ NY polytechnical institute an amount which shall be the product of the approved cost of services actually incurred during the base

1 year multiplied by the sharing ratio for cooperative educational
2 services aid which shall equal the greater of: (i) an amount equal to
3 one minus the quotient expressed as a decimal to three places without
4 rounding of eight mills divided by the tax rate of the local district
5 computed upon the actual valuation of taxable property, as determined
6 pursuant to subdivision one of section thirty-six hundred two of this
7 chapter [~~and notwithstanding section three thousand six hundred three,~~
8 expressed in mills to the nearest tenth as determined by the commission-
9 er, provided, however, that where services are provided to a school
10 district which is included within a central high school district or to a
11 central high school district, such amount shall equal one minus the
12 quotient expressed as a decimal to three places without rounding of
13 three mills divided by the tax rates, expressed in mills to the nearest
14 tenth, of such districts, as determined by the commissioner or (ii) the
15 aid ratio of each school district for the current year, which shall be
16 such component school district's [~~board of cooperative educational~~
17 ~~services~~] NY polytechnical institute aid ratio and which shall be not
18 less than thirty-six percent converted to decimals and shall be not more
19 than ninety percent converted to decimals. For the purposes of this
20 paragraph, the tax rate of the local district computed upon the actual
21 valuation of taxable property shall be the sum of the amount of tax
22 raised by the school district plus any payments in lieu of taxes
23 received by the school district pursuant to section four hundred eight-
24 y-five of the real property tax law, divided by the actual valuation of
25 the school district, provided, however that the tax rate for a central
26 high school district shall be the sum of the amount of tax raised by the
27 common and union free school districts included within the central high
28 school district for the support of the central high school district plus
29 any payments in lieu of taxes received for the support of the central
30 high school district pursuant to section four hundred eighty-five of the
31 real property tax law, divided by the actual valuation of the central
32 high school district. The tax rate for each common or union free school
33 district which is included within a central high school district shall
34 be the sum of the amount raised for the support of such common or union
35 free school district plus any payments in lieu of taxes received for the
36 support of the school district pursuant to section four hundred eighty-
37 five of the real property tax law, exclusive of the amount raised for
38 the central high school district, divided by the actual valuation of
39 such common or union free school district.

40 b. The cost of services herein referred to shall be the amount allo-
41 cated to each component school district by the [~~board of cooperative~~
42 ~~educational services~~] NY polytechnical institute to defray expenses of
43 such [~~board~~] institute, including approved expenses from the testing of
44 potable water systems of occupied school buildings under the [~~board's~~
45 institute's] jurisdiction as required pursuant to section eleven hundred
46 ten of the public health law provided that such expenses for testing of
47 potable water systems are not reimbursable from another state or federal
48 source, except that that part of the salary paid any teacher, supervisor
49 or other employee of the [~~board of cooperative educational services~~] NY
50 polytechnical institute which is in excess of thirty thousand dollars
51 shall not be such an approved expense, and except also that administra-
52 tive and clerical expenses shall not exceed ten percent of the total
53 expenses for purposes of this computation. Any gifts, donations or
54 interest earned by the [~~board of cooperative educational services~~] NY
55 polytechnical institute or on behalf of the [~~board of cooperative educa-~~
56 ~~tional services~~] NY polytechnical institute by the dormitory authority

1 or any other source shall not be deducted in determining the cost of
2 services allocated to each component school district. Any payments made
3 to a component school district by the [~~board of cooperative educational~~
4 ~~services~~] NY polytechnical institute pursuant to subdivision eleven of
5 section six-p of the general municipal law attributable to an approved
6 cost of service computed pursuant to this subdivision shall be deducted
7 from the cost of services allocated to such component school district.
8 The expense of transportation provided by the [~~board of cooperative~~
9 ~~educational services~~] NY polytechnical institute pursuant to paragraph q
10 of subdivision four of this section shall be eligible for aid appor-
11 tioned pursuant to subdivision seven of section thirty-six hundred two
12 of this chapter and no [~~board of cooperative educational services~~] NY
13 polytechnical institute transportation expense shall be an approved cost
14 of services for the computation of aid under this subdivision. Trans-
15 portation expense pursuant to paragraph q of subdivision four of this
16 section shall be included in the computation of the ten percent limita-
17 tion on administrative and clerical expenses.

18 c. The "tax rate" as herein referred to shall not include a special
19 tax levied for debt service in an existing district of a central school
20 district or a consolidated district.

21 d. Nothing in this act shall prevent school districts or [~~boards of~~
22 ~~cooperative educational services~~] NY polytechnical institutes with the
23 approval of the commissioner of education from providing cooperative
24 educational services for which no application for state aid is to be
25 made.

26 e. Any aid apportioned in accordance with section two hundred thirteen
27 of [~~the education law~~] this chapter to a [~~board of cooperative educa-~~
28 ~~tional services~~] NY polytechnical institute in connection with the
29 production of educational television materials and programs, or the
30 acquisition by purchase, lease or otherwise of television facilities or
31 operational expenses in connection therewith shall not be utilized in
32 connection with computing the apportionment to such [~~board of cooper-~~
33 ~~ative educational services~~] NY polytechnical institute. Any aid appor-
34 tioned or paid by the state to a [~~board of cooperative educational~~
35 ~~services~~] NY polytechnical institute for experimental or special
36 programs shall not be utilized in connection with computing the appor-
37 tionment to such [~~board of cooperative educational services~~] NY poly-
38 technical institute.

39 f. The sum of the amounts determined for each component school
40 district as the apportionment to the [~~board of cooperative educational~~
41 ~~services~~] NY polytechnical institute pursuant to the provisions of this
42 section shall not be less than the amount which would have been appor-
43 tioned during the nineteen hundred sixty-seven--sixty-eight school year
44 under the provisions of this subdivision as in effect on December thir-
45 ty-first, nineteen hundred sixty-six to the [~~board of cooperative educa-~~
46 ~~tional services~~] NY polytechnical institute of which the district was a
47 component member for which such apportionment was made, except that such
48 minimum apportionment shall be reduced in any year in which the expendi-
49 tures of the component district for [~~board of cooperative educational~~]
50 NY polytechnical institute purposes fall below the expenditure on which
51 the nineteen hundred sixty-seven--sixty-eight apportionment to the
52 [~~board of cooperative educational services~~] NY polytechnical institute
53 was based, such reduction to be made on a proportionate basis.

54 g. Any payment required by a [~~board of cooperative educational~~
55 ~~services~~] NY polytechnical institute to the dormitory authority or any
56 payment required by a [~~board of cooperative educational services~~] NY

1 polytechnical institute to acquire or construct a school facility of the
2 ~~[board of cooperative educational services]~~ NY polytechnical institute,
3 and any payments for rental of facilities by a ~~[board of cooperative~~
4 ~~educational services]~~ NY polytechnical institute shall, for the purposes
5 of apportionment of public moneys to the ~~[board of cooperative educa-~~
6 ~~tional services]~~ NY polytechnical institute by the state of New York, be
7 deemed to be an administrative or capital expense, as designated by the
8 commissioner, but the entire amount of such payment shall be utilized in
9 making such apportionment and the limitation of ten percent of the total
10 expenses contained in this subdivision shall not be applicable. Any
11 expense designated by the commissioner as a capital expense shall be
12 included in the capital budget of the ~~[board of cooperative educational~~
13 ~~services]~~ NY polytechnical institute and, except as otherwise provided
14 in this paragraph, shall be aided in the same manner as an administra-
15 tive expense. Any such payment shall not be considered part of the total
16 expenses of the ~~[board]~~ institute for purposes of determining the admin-
17 istrative and clerical expenses not to exceed ten percent otherwise
18 eligible for aid under this subdivision, and such payments shall be
19 considered for the purpose of apportionment during the current school
20 year such payment is made. The apportionment for such payments shall be
21 determined by multiplying the amount of such payment allocated to each
22 component school district in the ~~[board of cooperative educational~~
23 ~~services]~~ NY polytechnical institute by the aid ratio, and shall be not
24 more than ninety percent converted to decimals, of each such component
25 computed pursuant to subdivision three of section thirty-six hundred two
26 of this chapter and used to apportion aid to that district in that
27 current school year; provided, however, the apportionment for the
28 construction, acquisition, reconstruction, rehabilitation, or improve-
29 ment of ~~[board of cooperative educational services]~~ NY polytechnical
30 institute facilities, including payments to the dormitory authority and
31 payments under any lease agreement, shall be based upon the cost of the
32 ~~[board of cooperative educational services]~~ NY polytechnical institute
33 school facilities but not to exceed the cost allowance set forth in
34 subdivision six of section thirty-six hundred two of ~~[the education law]~~
35 this chapter and payments for rental facilities shall be subject to the
36 approval of the commissioner.

37 h. Each ~~[board of cooperative educational services]~~ NY polytechnical
38 institute receiving a payment pursuant to paragraph a of this subdivi-
39 sion and section thirty-six hundred nine-d of this chapter shall be
40 required to set aside from such payment an amount not less than the
41 amount of state aid received pursuant to paragraph a of this subdivision
42 in the base year that was attributable to cooperative services agree-
43 ments (CO-SERs) for career education, as determined by the commissioner,
44 and shall be required to use such amount to support career education
45 programs in the current year.

46 5-a. Financial assistance for school districts first joining a ~~[board~~
47 ~~of cooperative educational services (BOCES)]~~ NY polytechnical institute.

48 a. Eligibility. Any school district first joining ~~[a BOCES]~~ an institute
49 on or after July first, nineteen hundred ninety-five and prior to July
50 second, nineteen hundred ninety-seven shall be eligible to apply to the
51 commissioner for financial assistance pursuant to the provisions of this
52 subdivision and subdivision five of this section.

53 b. Financial assistance. Financial assistance shall mean an interest
54 free loan available upon application in the current year which shall not
55 exceed the product of (i) the applicable percent defined in paragraph c
56 of this subdivision and (ii) the sum of the local share and any repay-

ment due for the prior year loan. Such local share shall equal the positive remainder resulting when aid payable on behalf of the district in the current year pursuant to subdivision five of this section is subtracted from the district's ~~[BOCES]~~ institute expenses which are or would be aidable in the current year or the next year pursuant to such subdivision five. The annual application for such a loan shall be in a form prescribed by the commissioner and shall accompany the submission of the final set of state aid forms required of the ~~[BOCES]~~ institute each year and shall be certified by the district superintendent of the ~~[BOCES]~~ institute. The amount of the loan in any year shall be determined by the commissioner and the payment and repayment of the loan shall be in accordance with the provisions of paragraph d of this subdivision.

c. Applicable percent. The applicable percent shall be determined by the number of years that an eligible district has been a component district of a ~~[BOCES]~~ institute. In the first year, such percent shall be equal to the district's ~~[BOCES]~~ institute and building aid ratio for aid payable in the first year in which the district joins the ~~[BOCES]~~ institute, each year thereafter, such percent shall be reduced by ten percent until such percent would drop below ten percent at which time it shall be deemed to be zero.

d. Payment and repayment. Notwithstanding any inconsistent provisions of section thirty-six hundred nine-a of this chapter, the loan amounts determined by the commissioner pursuant to paragraph b of this subdivision shall be paid to each eligible school district on or before June fifteenth, commencing with the first year of eligibility, but only to the extent that the repayment of the base year loan has been secured. Notwithstanding any inconsistent provision of law, the state comptroller shall deduct the amount of any base year loan from any monies due such school district in March of the current year. Should the amount of any monies due such school district in March be insufficient to repay the total amount of the base year loan to the school district, the state comptroller shall deduct any balance due the state from any other monies payable to such district. Should the total amount of monies due to or on behalf of such school district be insufficient to repay the total amount of the base year loan determined in paragraph b of this subdivision, such school district shall make a direct payment to the state before March first of the current year and such payment shall be credited to the general fund local assistance account of the department.

6. The ~~[board of cooperative educational services]~~ NY polytechnical institute is hereby created a body corporate. All property which is now vested in, or shall hereafter be transferred to the ~~[board of cooperative educational services]~~ NY polytechnical institute, shall be held by them as a corporation.

7. In the event that two or more entire supervisory districts for which ~~[boards of cooperative educational services]~~ NY polytechnical institutes have been established shall become a single supervisory district by the redistricting of supervisory districts pursuant to section twenty-two hundred one of this chapter, the ~~[boards of cooperative educational services]~~ NY polytechnical institutes theretofore established shall nevertheless remain in existence until August first next following such redistricting for the purpose of carrying out the programs for the current school year. For all other purposes, from and after the effective date of such redistricting such ~~[boards of cooperative educational services]~~ NY polytechnical institutes shall constitute a single ~~[board of cooperative educational services]~~ NY polytechnical

1 institute for the supervisory district as then constituted in the same
2 manner as though such ~~[board]~~ institute had been established for such
3 supervisory district pursuant to subdivision one of this section, and
4 shall have all of the powers and duties of such ~~[boards]~~ institutes
5 under this chapter. The members of such ~~[boards]~~ institutes shall
6 continue to serve until the expiration of the terms of office for which
7 they were elected. No election shall be held to fill vacancies on such
8 ~~[board]~~ institute as the terms of members expire until such date as the
9 terms of sufficient members have expired to cause the membership of such
10 ~~[board]~~ institute to be not less than five nor more than fifteen, such
11 number to be determined at the annual meeting of the trustees and
12 members of boards of education of such supervisory district held in the
13 month of April following such redistricting. Thereafter members of such
14 ~~[board]~~ institute shall be elected annually to fill vacancies occurring
15 by expiration of term. Notwithstanding any other provision of law, a
16 ~~[board of cooperative educational services]~~ NY polytechnical institute
17 may fill a vacancy on such ~~[board]~~ institute at the annual ~~[board]~~
18 institute election immediately following such annual meeting and may
19 accept nominations pursuant to subdivision two-a of this section in
20 anticipation that one or more vacancies will exist once such annual
21 meeting so establishes the number of the membership of the ~~[board]~~
22 institute, provided that the election ballot shall state that nomi-
23 nations have been accepted in anticipation of possible vacancies and
24 that the clerk of the ~~[board of cooperative educational services]~~ NY
25 polytechnical institute will advise the component boards in writing of
26 the actual number of vacant offices to be filled at the election, if
27 any, no later than one business day after the annual meeting. Should
28 such a supervisory district for which a ~~[board of cooperative educa-~~
29 ~~tional services]~~ NY polytechnical institute has been established be
30 divided by the commissioner in the redistricting thereof, on August
31 first next following such redistricting, after paying all outstanding
32 obligations of such ~~[board]~~ institute, any balance of funds remaining in
33 the treasury of such ~~[board]~~ institute shall be allocated to the credit
34 of the component school districts in accordance with the ratio which the
35 proportion of the cost allocated to each component school district bears
36 to the total cost of services of such ~~[board of cooperative educational~~
37 ~~services]~~ NY polytechnical institute during the last full school year of
38 its operation. In the event that a ~~[board of cooperative educational~~
39 ~~services]~~ NY polytechnical institute shall have been established for the
40 supervisory district of which such component district is then a part,
41 the amount of such balance allocated to such district shall be paid to
42 the ~~[board of cooperative educational services]~~ NY polytechnical insti-
43 tute established for such supervisory district and any member of the
44 ~~[board of cooperative educational services]~~ NY polytechnical institute
45 for such divided district who resides in the territory so transferred
46 shall on and after the date of such redistricting become a member of the
47 ~~[board of cooperative educational services]~~ NY polytechnical institute
48 of the supervisory district to which the school district in which ~~[he or~~
49 ~~she resides]~~ they reside has been transferred and shall serve as such
50 member until the expiration of the term of office for which ~~[he or she~~
51 ~~was]~~ they were elected. In the event that there is no ~~[board of cooper-~~
52 ~~ative educational services]~~ NY polytechnical institute for any component
53 district the amount of such balance allocated to such district shall be
54 paid to the treasurer of such district. In such event the state aid
55 authorized by subdivision five of this section for the last year of
56 operation of such ~~[board of cooperative educational services]~~ NY poly-

1 technical institute shall be distributed to the component school
2 districts in the amounts which would have accrued to such [~~board of~~
3 ~~cooperative educational services~~] NY polytechnical institute by reason
4 of their participation.

5 8. Notwithstanding any other provision of this chapter, with the
6 approval of the commissioner of education, at the request of boards of
7 education of union free school districts having a population of four
8 thousand five hundred or more and employing a superintendent of schools,
9 where such school districts lie within towns included in the supervisory
10 district or supervisory districts comprising the territory served by a
11 [~~board of cooperative educational services~~] NY polytechnical institute,
12 such union free school districts may upon the consent of the [~~board of~~
13 ~~cooperative educational services~~] NY polytechnical institute be included
14 as component districts for the purposes of this section and shall have
15 all of the rights and obligations of such component districts under this
16 section. Notwithstanding any other provision of this chapter, and with
17 the consent of the commissioner, likewise, at the request of the board
18 of education of any city school district, having a population of less
19 than one hundred twenty-five thousand inhabitants, such city school
20 district may, upon the consent of the [~~board of cooperative educational~~
21 ~~services~~] NY polytechnical institute, be included as a component
22 district for the purpose of this section and shall have all the rights
23 and obligations of such component districts under this section.

24 8-a. Notwithstanding any other provision of this section and with the
25 consent of the commissioner, the city school district of the city of
26 Syracuse may, upon consent of the [~~board of cooperative educational~~
27 ~~services~~] NY polytechnical institute for the sole supervisory district
28 for Onondaga and Madison counties, be included as a component district
29 for the sole purpose of operating a combined program and/or constructing
30 a combined facility for children with developmental disabilities in the
31 city of Syracuse and the county of Onondaga. Such city school district
32 shall add an amount to its budget and levy, collect and pay the same to
33 such [~~board of cooperative educational services~~] NY polytechnical insti-
34 tute to defray the proportional expenses of constructing and operating
35 such facility for such children. Such city school district shall not be
36 liable for payment of administrative expenses as provided for in para-
37 graph b of subdivision four of this section nor shall such city school
38 district be eligible for the payment of state aid under this section
39 except such city school district shall receive state aid based on its
40 proportionate share of building expenses related to this program as
41 determined by the commissioner.

42 Such city school district shall continue to receive aid under subdivi-
43 sion five of section thirty-six hundred two of this chapter for the
44 attendance of children in this program.

45 8-b. Notwithstanding any other provisions of this section and with the
46 consent of the commissioner, city school districts of cities in excess
47 of one hundred twenty-five thousand inhabitants but less than one
48 million inhabitants, upon consent of the [~~board of cooperative educa-~~
49 ~~tional services~~] NY polytechnical institute approved by the commissioner
50 may be included as a component district of such [~~board of cooperative~~
51 ~~educational services~~] NY polytechnical institute for the sole purpose of
52 purchasing student information system services consistent with standards
53 established by the commissioner from such [~~board of cooperative educa-~~
54 ~~tional services~~] NY polytechnical institute. Each such city school
55 district shall add an amount to its budget and shall levy, collect and
56 pay the costs of such program to such [~~board of cooperative educational~~

1 ~~services~~] NY polytechnical institute to defray their portion of the
2 expenses of such a program. Such city school district shall not be
3 liable for payment of administrative expenses as provided for in para-
4 graph b of subdivision four of this section nor shall such city school
5 district be eligible for payment of state aid under this section.

6 8-c. Notwithstanding any other provision of this section, any school
7 district not a component of the [~~board of cooperative educational~~
8 ~~services~~] NY polytechnical institute of the supervisory district serving
9 its geographic area, including a city school district in a city having a
10 population in excess of one hundred twenty-five thousand inhabitants,
11 upon consent of the [~~board of cooperative educational services~~] NY poly-
12 technical institute and with the approval of the commissioner, may be
13 treated in the same manner as a component school district of the [~~board~~
14 ~~of cooperative educational services~~] NY polytechnical institute of the
15 supervisory district serving its geographic area, or an adjoining [~~board~~
16 ~~of cooperative educational services~~] NY polytechnical institute in the
17 case of a city school district in a city having one million inhabitants
18 or more, for the sole purpose of purchasing instructional support
19 services, as defined by the commissioner. Each such school district
20 shall add an amount to its budget and shall levy, collect and pay the
21 costs of such program to such [~~board of cooperative educational~~
22 ~~services~~] NY polytechnical institute to defray its portion of the
23 expenses of such program, including a charge for administration not to
24 exceed the restricted indirect cost rate, provided that the [~~board of~~
25 ~~cooperative educational services~~] NY polytechnical institute shall not
26 charge any portion of the administrative costs incurred pursuant to this
27 subdivision to its component school districts. Such school districts
28 shall not be liable for payment of administrative expenses as provided
29 for in paragraph b of subdivision four of this section and subdivision
30 one of section nineteen hundred fifty-one of this article. In the case
31 of city school districts in a city with a population in excess of one
32 hundred twenty-five thousand inhabitants, such participation shall be in
33 addition to the participation authorized by subdivisions eight-a and
34 eight-b of this section. In the case of a city school district in a city
35 with a population of one hundred twenty-five thousand inhabitants or
36 more, in lieu of participation as a component district of an adjoining
37 [~~board of cooperative educational services~~] NY polytechnical institute,
38 the city school district may opt to provide such support services as
39 shared services directly or in collaboration with one or more insti-
40 tutions of higher education. The approved costs of such services shall
41 be eligible for state aid in accordance with the provisions of subdivi-
42 sion twenty of section thirty-six hundred two of this chapter, and shall
43 not be eligible for aid pursuant to subdivision five of this section.

44 8-d. Notwithstanding the provision of any law, rule, or regulation to
45 the contrary, the city school district of the city of Rochester, upon
46 the consent of the [~~board of cooperative educational services~~] NY poly-
47 technical institute of the supervisory district serving its geographic
48 region, may purchase from such [~~board~~] institute as a non-component
49 school district, services required by article nineteen of the education
50 law.

51 9. No person shall be eligible to be elected to the office of member
52 of a [~~board of cooperative educational services~~] NY polytechnical insti-
53 tute who is an employee of a school district in the supervisory
54 district.

55 9-a. No person shall be eligible to hold the office of member of a
56 [~~board of cooperative educational services~~] NY polytechnical institute

1 who does not reside within the boundaries of a component school district
2 of any such ~~[board]~~ institute.

3 10. Notwithstanding any other provisions of this chapter or of any
4 other general or special law to the contrary, if and when two or more
5 supervisory districts shall be combined into a new supervisory district
6 pursuant to the provisions of section twenty-two hundred one of this
7 chapter, as a result of which the ~~[boards of cooperative educational~~
8 ~~services]~~ NY polytechnical institutes for such supervisory districts
9 shall become a single ~~[board of cooperative educational services]~~ NY
10 polytechnical institute for such redistricted supervisory district, such
11 single ~~[board of cooperative educational services]~~ NY polytechnical
12 institute for such redistricted supervisory district shall, in such
13 case, allocate the appropriate amounts of payments required to be made
14 to the dormitory authority for rental of facilities or otherwise to the
15 school districts contained, respectively, in such former ~~[boards of~~
16 ~~cooperative educational services]~~ NY polytechnical institutes for such
17 supervisory districts, as if such ~~[boards]~~ institutes continued to exist
18 in law for the sole purpose of making such payments.

19 11. With the approval of the commissioner, one or more ~~[boards of~~
20 ~~cooperative educational services]~~ NY polytechnical institutes and one or
21 more school districts may enter into an agreement or agreements to
22 provide for sharing costs of construction of or leases for facilities
23 acquired for the purpose of housing services to be provided by a ~~[board~~
24 ~~or boards of cooperative educational services]~~ NY polytechnical insti-
25 tute or institutes for provision of which services such facilities are
26 constructed or leased, provided, however that no new agreements for the
27 sharing of costs of construction or leases of facilities may be entered
28 into pursuant to this subdivision on or after July first, two thousand
29 three. No such agreement may be for a longer term than is required to
30 retire any obligations issued by one or more of the parties to such
31 agreement for the purpose of acquiring such facilities, or to pay the
32 dormitory authority in full for the acquisition of such facilities.

33 13. a. A ~~[board of cooperative educational services]~~ NY polytechnical
34 institute and the component school districts of such ~~[board of cooper-~~
35 ~~ative educational services]~~ NY polytechnical institute may enter into an
36 agreement providing for the acquisition from the dormitory authority of
37 facilities designed to house services to be provided by such ~~[board of~~
38 ~~cooperative educational services]~~ NY polytechnical institute and for the
39 sharing of the cost of such acquisition. Such agreement in addition to
40 providing for all other matters deemed necessary and proper shall (i)
41 set forth the cost of such acquisition which shall be the amount certi-
42 fied by the dormitory authority as sufficient to pay the principal of,
43 the redemption premium, if any, and interest to the earliest of either
44 the maturity date or the next redemption date on all obligations of the
45 dormitory authority issued in relation to providing such facilities,
46 including all incidental expenses in relation thereto, and (ii) provide
47 for an allocation and apportionment of the cost of such acquisition
48 among the component school districts on such equitable basis as the
49 parties thereto shall determine and agree, and the proportion of the
50 total cost to be provided by each such district in accordance with such
51 allocation and apportionment. In those cases where construction of such
52 facilities shall not have been completed, the amount so certified by the
53 dormitory authority shall include the amount estimated to be necessary
54 by the dormitory authority to complete such construction by it acting
55 for and on behalf of such ~~[board of cooperative educational services]~~ NY
56 polytechnical institute; provided, however, that such agreement shall

1 provide that such [~~board~~] institute shall pay to the dormitory authority
2 any additional amounts thereafter determined and certified by the dormi-
3 tory authority to be necessary in order to complete the construction of
4 such facilities. Existing contracts awarded by the dormitory authority
5 for the construction of such facilities shall not be modified, nor shall
6 any work not covered thereby be authorized, without the prior consent of
7 an officer of such [~~board~~] institute authorized to so act by a resol-
8 ution of such [~~board~~] institute. Such agreement shall be executed by all
9 the component school districts of such [~~board of cooperative educational~~
10 ~~services~~] NY polytechnical institute whose allocation of administrative
11 expenses would include a portion of the amounts required to be paid the
12 dormitory authority for the rental of such facilities.

13 b. The acquisition of such facilities is hereby declared and deter-
14 mined to be a school district purpose and an object or purpose for which
15 each such component school district is hereby authorized to expend money
16 and contract indebtedness. The period of probable usefulness of such
17 object or purpose is hereby determined to be thirty years. Each such
18 component school district is hereby authorized to finance its share of
19 the cost of the acquisition of such facilities together with costs inci-
20 dental to such financing, including, but not limited to legal fees,
21 printing, engraving and publication of notices, either from any current
22 funds legally available therefor, or by the issuance of obligations
23 pursuant to the local finance law; provided, however, that (i) no
24 approval of the voters of such component school district shall be
25 required, (ii) the voting of a special tax or a tax to be collected in
26 installments shall not be a condition precedent to the adoption of a
27 bond resolution for such object or purpose, (iii) a majority vote of the
28 entire voting strength of the board of education shall be sufficient for
29 adoption of such a bond resolution, which bond resolution may be adopted
30 at a regular meeting, or a special meeting of the board of education
31 called on not less than twelve hours oral or written notice, which may
32 be held either within or outside of such district, (iv) any such bond
33 resolution shall take effect immediately and shall not be subject either
34 to a mandatory or permissive referendum, and (v) no such bond resolution
35 shall be adopted prior to the execution by the [~~board of cooperative~~
36 ~~educational services~~] NY polytechnical institute and the component
37 school districts of such [~~board of cooperative educational services~~] NY
38 polytechnical institute of the agreement required by paragraph a of this
39 subdivision.

40 c. Nothing herein contained shall be construed to permit any school
41 district in a city (as defined in paragraph two-b of section 2.00 of the
42 local finance law) to contract indebtedness for such object or purpose
43 in excess of the limitation prescribed by paragraph b of section 104.00
44 of such law, without a compliance with the provisions of paragraph c
45 thereof. A school district, other than a school district in a city, may
46 issue bonds or bond anticipation notes for such object or purpose in
47 excess of the limitation prescribed by paragraph d of such section
48 104.00, without complying with the requirements of subparagraphs one
49 through three of such paragraph. Notwithstanding any other provision of
50 law to the contrary, a special act school district, as defined in subdi-
51 vision eight of section four thousand one of this chapter, shall not be
52 deemed a component school district of the [~~board of cooperative educa-~~
53 ~~tional services~~] NY polytechnical institute for purposes of this subdi-
54 vision.

55 d. Upon certification by the dormitory authority of the receipt by it
56 of the amount set forth in the agreement as the cost of the acquisition

1 of such facilities, title thereto shall vest in the [~~board of cooper-~~
2 ~~ative educational services~~] NY polytechnical institute without any
3 further action or deed or conveyance, which title shall be held by the
4 [~~board of cooperative educational services~~] NY polytechnical institute
5 for the benefit and on behalf of all the component school districts of
6 such [~~board~~] institute executing such agreement.

7 e. The validity of any obligations issued by any school district in
8 accordance with this subdivision shall not be affected or impaired by
9 any omission, defect or irregularity in any previous acts or proceedings
10 by the [~~board of cooperative educational services~~] NY polytechnical
11 institute, or by any of the component school districts of such [~~board of~~
12 ~~cooperative educational services~~] NY polytechnical institute in relation
13 to the authorization of such facilities or the construction and financ-
14 ing thereof by the dormitory authority.

15 f. State aid on account of the acquisition of such facilities shall be
16 paid to each component school district based upon its respective debt
17 service or share thereof paid pursuant to the agreement herein provided
18 for, and upon its respective aid ratio.

19 g. Notwithstanding any provision of law, the dormitory authority, any
20 [~~board of cooperative educational services~~] NY polytechnical institute
21 and any component school district thereof, are all hereby authorized and
22 empowered to perform any and all acts and to enter into any and all
23 agreements necessary or desirable to effectuate the purposes of this
24 subdivision.

25 14. a. All provisions of this subdivision shall be applicable only if
26 any agreement or agreements referred to herein shall be entered into by
27 a [~~board of cooperative educational services~~] NY polytechnical institute
28 and all of the component school districts of the [~~board of cooperative~~
29 ~~educational services~~] NY polytechnical institute. A [~~board of cooper-~~
30 ~~ative educational services~~] NY polytechnical institute and the component
31 school districts of such [~~board of cooperative educational services~~] NY
32 polytechnical institute may enter into an agreement providing for the
33 acquisition or construction, including new construction, additions or
34 reconstruction of facilities designed to house services to be provided
35 by such [~~board of cooperative educational services~~] NY polytechnical
36 institute and for the sharing of the cost of such acquisition or
37 construction. Such agreement in addition to providing for all other
38 matters deemed necessary and proper shall (i) set forth the cost of such
39 acquisition or construction and costs incidental thereto and (ii)
40 provide for an allocation and apportionment of the costs of such acqui-
41 sition or construction among the component school districts on such
42 equitable basis as the parties thereto shall determine and agree, and
43 the proportion of the total cost to be provided by each such district in
44 accordance with such allocation and apportionment. Such agreement shall
45 be executed by all the component school districts of such [~~board of~~
46 ~~cooperative educational services~~] NY polytechnical institute and such
47 [~~board of cooperative educational services~~] NY polytechnical institute.
48 Such agreement may provide that each component school district of such a
49 [~~board of cooperative educational services~~] NY polytechnical institute
50 shall issue an agreed upon amount of its obligations in a total amount
51 sufficient to acquire or construct such facilities, or that all compo-
52 nent districts of such [~~board~~] institute shall together issue joint
53 obligations pledging the full faith and credit for all component
54 districts jointly and that each such district shall pay a specified
55 share of annual debt service on such joint obligations in accordance

1 with the provisions of article five-g of the general municipal law and
2 applicable provisions of the local finance law.

3 b. The acquisition or construction of such facilities is hereby
4 declared and determined to be a public purpose and a school district
5 purpose and a specific object or purpose for which each such component
6 school district is hereby authorized to expend money and contract
7 indebtedness. The period of probable usefulness of such specific object
8 or purpose is hereby determined to be thirty years. Each such component
9 school district is hereby authorized to finance its share of the cost of
10 the acquisition or construction of such facilities, together with costs
11 incidental thereto, either from any current funds legally available
12 therefor or by the issuance of obligations pursuant to the local finance
13 law; provided, however, that (i) no approval of the voters of such
14 component school district shall be required, (ii) the voting of a
15 special tax or a tax to be collected in installments shall not be a
16 condition precedent to the adoption of a bond resolution for such
17 specific object or purpose, (iii) a majority vote of the entire voting
18 strength of the board of education shall be sufficient for adoption of
19 such a bond resolution, which bond resolution may be adopted at a regu-
20 lar meeting, or a special meeting of the board of education called on
21 not less than twenty-four hours oral or written notice to the members of
22 such ~~[board]~~ institute as provided in section sixteen hundred six of
23 ~~[the education law]~~ this chapter, which meeting may be held either with-
24 in or outside of such district, (iv) any such bond resolution shall take
25 effect immediately and shall not be subject to either a mandatory or
26 permissive referendum, and (v) no such bond resolution shall be adopted
27 prior to the execution by ~~[the board of cooperative educational~~
28 ~~services]~~ NY polytechnical institute and all of the component school
29 districts of such ~~[board of cooperative educational services]~~ NY poly-
30 technical institute of the agreement required by paragraph a of this
31 subdivision.

32 c. No further approval of the voters of such ~~[board of cooperative~~
33 ~~educational services]~~ NY polytechnical institute or any component
34 district thereof shall be required other than that required by paragraph
35 t of subdivision four of this section.

36 d. Such agreement shall further provide that title to the facility
37 shall vest in the ~~[board of cooperative educational services]~~ NY poly-
38 technical institute which title shall be held by the ~~[board of cooper-~~
39 ~~ative educational services]~~ NY polytechnical institute for the benefit
40 and on behalf of all the component school districts of such ~~[board]~~
41 institute executing such agreement.

42 e. Nothing herein contained shall be construed to permit any school
43 district in a city (as defined in paragraph two-b of section 2.00 of the
44 local finance law) to contract indebtedness for such specific object or
45 purpose in excess of the limitation prescribed by paragraph b of section
46 104.00 of such law, without complying with the provisions of paragraph c
47 thereof. A school district, other than a school district in a city, may
48 not issue bonds or bond anticipation notes for such specific object or
49 purpose in excess of the limitation prescribed by paragraph d of such
50 section 104.00, without complying with the requirements of subparagraphs
51 one through three of such paragraph. Notwithstanding any other provision
52 of law to the contrary, a special act school district, as defined in
53 subdivision eight of section four thousand one of this chapter, shall
54 not be deemed a component school district of the ~~[board of cooperative~~
55 ~~educational services]~~ NY polytechnical institute for purposes of this
56 subdivision.

f. State aid on account of the acquisition or construction of such facilities shall be paid to each component school district based upon its respective debt service or share thereof paid pursuant to the agreement herein provided for, and upon its respective aid ratio. Any such computation of state aid shall further be based upon the cost of such acquisition, or construction, and including incidental costs, to the ~~[board of cooperative educational services]~~ NY polytechnical institute but not to exceed the cost allowance set forth in subdivision six of section thirty-six hundred two of this chapter.

18. Accountability of personal property. On or before January first, nineteen hundred ninety-seven, each ~~[board of cooperative educational services]~~ NY polytechnical institute shall develop and adopt a formal policy on personal property accountability, including the acquisition, sale and disposal of personal property. Such policy shall be approved by the commissioner consistent with regulations adopted for such purpose, which shall include but not be limited to (a) procedures for the acquisition of personal property both by purchase and by gift, (b) procedures for the periodic inventory of personal property, and (c) procedures for the sale of valuable personal property to the highest bidder, except however that vehicles received at no cost for use in an authorized welfare to work program may be transferred at no cost or at cost of repairs, where repairs have been made to the vehicle at ~~[the board of cooperative education services]~~ such institute, to participants who have met all the program requirements. Each such ~~[board]~~ institute shall periodically review and update such policy, provided that any amendments of the policy shall be subject to approval of the commissioner.

19. Where the district has provided transportation to students enrolled in such district to a school sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district, unless the parent or legal guardian of a student participating in such event has provided the school district with written notice, consistent with district policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the district impractical, a representative of the school district shall remain with the student until such student's parent or legal guardian has been (a) contacted and informed of the intervening circumstances which make such transportation impractical and (b) such student had been delivered to ~~[his or her]~~ their parent or legal guardian.

§ 2-a. Subdivision 2-c of section 1950 of the education law, as added by chapter 311 of the laws of 2024, is amended to read as follows:

2-c. a. Each ~~[board of cooperative educational services]~~ NY polytechnical institute shall have one or more ex officio student members. Supervisory districts with ten or fewer component districts shall have at least one ex officio student member; supervisory districts with more than ten and fewer than or equal to twenty component districts shall have at least two ex officio student members; and supervisory districts with more than twenty component districts shall have at least three ex officio student members.

b. Each supervisory district shall establish a process for determining which component district or districts shall select the ex officio student members each school year. Such process shall take into consideration the number of component districts within the supervisory district

1 and provide for a mechanism which allows for fair representation among
2 the component districts. Each supervisory district shall also establish
3 a process by which such component district or districts shall select the
4 ex officio student member or members, provided that such members shall
5 be students who have attended a high school within their component
6 district for at least one year and who participate in a program adminis-
7 tered by the supervisory district.

8 c. The ex officio student members of the [~~board~~] institute shall be
9 entitled to sit with [~~board~~] institute members at all public meetings
10 and hearings of the [~~board~~] institute and may participate in other
11 [~~board~~] institute activities and responsibilities at the discretion of
12 the [~~board~~] institute.

13 d. The ex officio student members of the [~~board~~] institute shall not
14 be allowed to vote, shall not be allowed to attend executive session or
15 any other meetings or hearings not open to the public, and shall not be
16 entitled to receive compensation of any form for participating at
17 [~~board~~] institute meetings.

18 § 3. Subparagraph (a) of paragraph p of subdivision 4 of section 1950
19 of the education law, as amended by chapter 602 of the laws of 1994, is
20 amended to read as follows:

21 (a) To rent suitable land, classrooms, offices or buildings upon or in
22 which to maintain and conduct such cooperative educational services and
23 administrative offices for a period not to exceed ten years and to
24 improve, alter, equip and furnish such land, classrooms, offices or
25 buildings in a suitable manner for such purposes (1) before executing
26 any lease, the [~~board~~] institute shall adopt a resolution determining
27 that such agreement is in the best financial interests of the superviso-
28 ry district and stating the basis of that determination; (2) the rental
29 payment shall not be more than the fair market value as determined by
30 the [~~board~~] institute; and (3) upon the consent of the commissioner,
31 renewal of such lease may be made for a period of up to ten years. Noth-
32 ing contained herein shall prevent the [~~board~~] institute from entering
33 into a lease agreement which provides for the cancellation of the same
34 by such [~~board~~] institute upon: (i) a substantial increase or decrease
35 in pupil enrollment; or (ii) a substantial change in the needs and
36 requirements of a [~~board of cooperative educational services~~] NY poly-
37 technical institute with respect to facilities; or (iii) any other
38 change which substantially affects the needs or requirements of a [~~board~~
39 ~~of cooperative educational services~~] NY polytechnical institute or the
40 community in which it is located. No lease or other contract for the
41 occupancy of such land, classrooms, offices or buildings shall be
42 enforceable against the [~~board of cooperative educational services~~] NY
43 polytechnical institute unless and until the same shall have been
44 approved in writing by the commissioner.

45 § 4. Section 1951 of the education law, as added by chapter 795 of the
46 laws of 1967 and as renumbered by chapter 378 of the laws of 1972,
47 subdivision 1 as amended by chapter 474 of the laws of 1996, paragraph a
48 of subdivision 2 as amended by chapter 722 of the laws of 2005, subpara-
49 graph 2 of paragraph c of subdivision 2 as amended by chapter 919 of the
50 laws of 1974, paragraph s of subdivision 2 as added by chapter 722 of
51 the laws of 2005, paragraph t of subdivision 2 as added by chapter 481
52 of the laws of 2023, and subdivision 3 as added by section 15 of part A
53 of chapter 436 of the laws of 1997, is amended to read as follows:

54 § 1951. Budget of [~~board of cooperative educational services~~] NY poly-
55 technical institute. 1. The final administrative and capital budgets of
56 the [~~board of cooperative educational services~~] NY polytechnical insti-

1 ~~tute~~ as adopted shall be a charge against all of the school districts
2 contained in the [~~board of cooperative educational services~~] NY poly-
3 technical institute, provided, however, that any component school
4 district which does not elect to participate in any specific educational
5 service authorized to be furnished by the [~~board of cooperative educa-~~
6 ~~tional services~~] NY polytechnical institute shall not be required to pay
7 any share of the moneys provided in the program budget as salaries of
8 teachers or other personnel employed in providing such service, for
9 equipment and supplies for such service or for transportation of pupils
10 to and from the place where such service is maintained, provided, howev-
11 er, expenditures for the [~~board of cooperative educational services~~] NY
12 polytechnical institute program, including office and central adminis-
13 trative expenses, traveling expenses and salaries and benefits of super-
14 visors and all other central administrative personnel necessary to carry
15 out its program shall be deemed administrative expenses which shall be a
16 charge upon all component school districts notwithstanding the fact that
17 such a component school district elects to not participate in any
18 specific program offered by the [~~board of cooperative educational~~
19 ~~services~~] NY polytechnical institute. Each school district's propor-
20 tionate share of administrative and capital expenses shall be determined
21 in accordance with subparagraph seven of paragraph b of subdivision four
22 of section nineteen hundred fifty of this article. The [~~board~~] institute
23 shall allocate the cost of other services to participating component
24 school districts in accordance with terms agreed upon between such
25 [~~board~~] institute and the boards of education and trustees of each
26 component school district using the local uniform unit cost of each such
27 service, based on (i) anticipated participation in the ensuing school
28 year, or (ii) participation in the current year, or (iii) a two or three
29 year average including participation in the current year, which unit
30 cost shall be the same for all participating component school districts
31 and shall be computed in accordance with a uniform methodology approved
32 annually by at least three-quarters of the participating component
33 school districts after consultation by local school officials with their
34 respective boards; provided, however, such unit cost shall be subject to
35 final adjustment for programs for students with disabilities based on
36 actual participation in accordance with regulations of the commissioner.
37 The school authorities of each school district in the [~~board of cooper-~~
38 ~~ative educational services~~] NY polytechnical institute shall add such
39 amount to the budget of such school district and shall pay such amount
40 to the treasurer of the [~~board of cooperative educational services~~] NY
41 polytechnical institute, and shall be paid out by the treasurer upon
42 orders of the [~~board~~] institute issued and executed pursuant to the
43 resolution of said [~~board~~] institute.

44 2. a. If the [~~board of cooperative educational services~~] NY polytech-
45 nical institute determines to submit a proposition to authorize the
46 purchase or acquisition of sites or additions thereto and real property
47 and to construct buildings thereon and to purchase buildings and
48 construct additions thereto, or to authorize the sale of any real prop-
49 erty the title to which is vested in the [~~board of cooperative educa-~~
50 ~~tional services~~] NY polytechnical institute and buildings thereon and
51 appurtenances or any part thereof, or to authorize the exchange of real
52 property held by the [~~board of cooperative educational services~~] NY
53 polytechnical institute for the purpose of improving or changing school
54 sites, to the qualified voters of the [~~board of cooperative educational~~
55 ~~services~~] NY polytechnical institute, then the [~~board~~] institute shall
56 call a meeting and submit to the qualified voters of the [~~board of coop-~~

1 ~~erative educational services~~ NY polytechnical institute such a proposi-
2 tion. The [~~board~~] institute shall cause a notice of such meeting to be
3 given by public notice of the time and place of such meeting once in
4 each week within the four weeks next preceding such meeting, the first
5 publication to be at least twenty-five days before said meeting, in two
6 newspapers if there shall be two, or in one newspaper if there shall be
7 but one, having general circulation within the [~~board of cooperative~~
8 ~~educational services~~] NY polytechnical institute, but if no newspaper
9 shall then have general circulation therein, the said notice shall be
10 posted in at least twenty of the most public places in said [~~board of~~
11 ~~cooperative educational services~~] NY polytechnical institute twenty-five
12 days before the time of such meeting. Such notice shall contain a state-
13 ment of the proposition or propositions to be submitted at such meeting.

14 b. Such notice and all other notices and reports required to be
15 published in newspapers under the provisions of this chapter shall be
16 printed at the rates and for the fees prescribed in section eight thou-
17 sand seven of the civil practice law and rules. In the event that the
18 publishers of one or both of the newspapers having general circulation
19 in such district shall refuse to print and publish the notices or
20 reports at the rates and for the fees so prescribed, publication in such
21 newspaper or newspapers so refusing may be omitted, in which case the
22 notices or reports shall be posted as required by this section in lieu
23 of such publication.

24 c. A person shall be entitled to vote at any meeting of the voters of
25 the [~~board of cooperative educational services~~] NY polytechnical insti-
26 tute who is:

27 (1) A citizen of the United States.

28 (2) Eighteen years of age.

29 (3) A resident within the [~~board of cooperative educational services~~]
30 NY polytechnical institute for a period of thirty days next preceding
31 the meeting at which [~~he offers~~] they offer to vote.

32 No person shall be deemed to be ineligible to vote at any such meet-
33 ing, by reason of sex, who has the other qualifications required by this
34 paragraph.

35 d. If a person offering to vote at any meeting of the voters of the
36 [~~board of cooperative educational services~~] NY polytechnical institute
37 shall be challenged as unqualified by any legal voter of such [~~board~~]
38 institute at such meeting, the [~~chairman~~] chair presiding at such meet-
39 ing shall require the person so offering to make the following declara-
40 tion: "I do declare and affirm that I am, and have been, for the thirty
41 days last past, an actual resident of this [~~board of cooperative educa-~~
42 ~~tional services~~] NY polytechnical institute and that I am qualified to
43 vote at this meeting." Every person making such declaration shall be
44 permitted to vote on all questions proposed at such meeting; but if any
45 person shall refuse to make such declaration [~~his~~] their vote shall be
46 rejected.

47 e. A person who shall wilfully make a false declaration of [~~his~~] their
48 right to vote at a meeting of the voters of a [~~board of cooperative~~
49 ~~educational services~~] NY polytechnical institute after [~~his~~] their right
50 to vote thereat has been challenged, shall be deemed guilty of a misde-
51 meanor. Any person not qualified to vote at such meeting, who shall vote
52 thereat, shall thereby forfeit ten dollars, to be sued for by the super-
53 visor for the benefit of the [~~board~~] institute.

54 f. In all propositions arising at said meeting, the vote thereon shall
55 be by ballot.

g. If the ~~[board of cooperative educational services]~~ NY polytechnical institute shall so determine, voting machines may be used for recording the vote at such meeting. Before any such machine is used at any such meeting, the inspectors of election shall examine it and see that all the counters are set at zero (000) and that the ballot labels are properly placed, and that the machine is in all respects in proper condition for use. The use of such machine shall be deemed a compliance with any provision of law requiring the vote to be by ballot. The ~~[board of cooperative educational services]~~ NY polytechnical institute may purchase the necessary voting machine or machines; or if the county board of elections shall consent thereto, such machines belonging to the county or belonging to the town in which any part of said ~~[board of cooperative educational services]~~ NY polytechnical institute shall be located may be used at any such meeting, the expense of delivery and returning and setting up, and any other expense connected therewith shall be defrayed by the ~~[board of cooperative educational services]~~ NY polytechnical institute; but such machines belonging to the county shall not be so used at the time or times when they may be required under the election law.

h. The ~~[board of cooperative educational services]~~ NY polytechnical institute shall appoint a qualified voter of the ~~[board of cooperative educational services]~~ NY polytechnical institute as the ~~[chairman]~~ chair of any such meeting. The clerk of the ~~[board of cooperative educational services]~~ NY polytechnical institute shall give written notice of appointment to the person so appointed. If the person appointed as ~~[chairman]~~ chair refuses to accept such appointment, or fails to serve, the ~~[board of cooperative educational services]~~ NY polytechnical institute may appoint a qualified voter of the ~~[board of cooperative educational services]~~ NY polytechnical institute to fill the vacancy. The meeting shall be called to order by the ~~[chairman]~~ chair.

i. If the clerk of the ~~[board of cooperative educational services]~~ NY polytechnical institute shall not be present, the ~~[board]~~ institute may appoint a qualified voter of the ~~[board of cooperative educational services]~~ NY polytechnical institute to act as clerk of the meeting. The board shall appoint qualified voters of the ~~[board of cooperative educational services]~~ NY polytechnical institute as assistant clerks of the meeting. The clerk of the ~~[board of cooperative educational services]~~ NY polytechnical institute shall give a written notice of appointment to the persons so appointed as assistant clerks. If a person appointed as assistant clerk refuses to accept such appointment, or fails to serve, the ~~[board]~~ institute may appoint a qualified voter of the ~~[board of cooperative educational services]~~ NY polytechnical institute to fill the vacancy. Each assistant clerk shall be entitled to compensation at a rate to be fixed by the ~~[board]~~ institute for each day actually and necessarily spent upon the duties of ~~[his]~~ their office. The clerk and assistant clerk or clerks of the meeting shall keep an accurate and true written record of all proceedings of the meeting and shall file such written record with the clerk of the ~~[board of cooperative educational services]~~ NY polytechnical institute within twenty-four hours after the meeting.

j. The ~~[board]~~ institute shall appoint two qualified voters of the ~~[board of cooperative educational services]~~ NY polytechnical institute for each ballot box to be used to act as inspectors of election at such meeting. The clerk of the ~~[board of cooperative educational services]~~ NY polytechnical institute shall give written notice of appointment to the persons so appointed. If a person appointed as inspector of election

1 refuses to accept such appointment, or fails to serve, the board may
2 appoint a qualified voter of the [~~board of cooperative educational~~
3 ~~services~~] NY polytechnical institute to fill the vacancy. Additional
4 inspectors of election may be appointed in the same manner when, in the
5 opinion of the [~~board~~] institute, special circumstances exist requiring
6 the services of such additional inspectors. The inspectors of election
7 shall, before the polls are opened, organize by naming one of their
8 number as chief inspector of election. Each inspector of election shall
9 be entitled to compensation at a rate to be fixed by the [~~board~~] insti-
10 tute for each day actually and necessarily spent upon the duties of
11 [~~his~~] their office.

12 k. A poll list containing the name and legal residence of every person
13 whose vote shall be received shall be kept by the clerk and assistant
14 clerk or clerks of the meeting.

15 l. The [~~board~~] institute shall at the expense of the [~~board of cooper-~~
16 ~~ative educational services~~] NY polytechnical institute provide a suit-
17 able box or boxes in which the ballots, folded so as to conceal the
18 marking thereon, shall be deposited as they are received, and shall in
19 like manner provide a voting booth or booths and the voters shall be
20 required to enter such booth or booths for the purpose of marking their
21 ballots.

22 m. The [~~board~~] institute shall cause printed ballots to be prepared,
23 setting forth the proposition or propositions to be voted upon, in the
24 form applicable to the submission of a proposition to the meeting of a
25 union free school district.

26 n. All qualified voters entitled to vote who are in the place where
27 the meeting is held at or before the time of closing the polls shall be
28 allowed to vote.

29 o. Immediately upon the close of the polls the inspectors of election
30 shall canvass the ballots in the same manner as ballots are canvassed at
31 a meeting of a union free school district. The [~~chairman~~] chair of the
32 meeting shall declare to the meeting the result of each ballot as
33 announced to [~~him~~] them by the inspectors of election, and those propo-
34 sitions receiving a majority of the votes of the voters present and
35 voting shall be deemed approved.

36 p. The meeting of the voters of the [~~board of cooperative educational~~
37 ~~services~~] NY polytechnical institute shall be conducted in the same
38 manner as a meeting of the voters of a union free school district.

39 q. If the [~~board~~] institute shall so determine it may cause the [~~board~~
40 ~~of cooperative educational services~~] NY polytechnical institute to be
41 divided into election districts provided that in each such election
42 district the number of qualified voters shall at least equal seven
43 hundred. If such resolution be adopted it shall divide the [~~board of~~
44 ~~cooperative educational services~~] NY polytechnical institute into such
45 number of election districts as the [~~board~~] institute may determine,
46 provided that if circumstances will permit there shall be a schoolhouse
47 in each election district or in as many such election districts as
48 possible. The election districts so formed shall continue in existence
49 until modified by resolution of the [~~board~~] institute. Such resolution
50 shall accurately describe the boundaries of each such district by
51 street, alley and highway or otherwise. Meetings of the voters of the
52 [~~board of cooperative educational services~~] NY polytechnical institute
53 shall be held thereafter in such election districts. The [~~board~~] insti-
54 tute shall designate the place within each election district where the
55 meetings shall be held. When the [~~board of cooperative educational~~
56 ~~services~~] NY polytechnical institute is divided into election districts,

1 the ~~[board]~~ institute shall cause the meeting to be held in each
2 election district pursuant to the provisions of this subdivision and
3 shall appoint a ~~[chairman]~~ chair of the meeting, clerks and assistant
4 clerks of the meeting and inspectors of election for each election
5 district. The ~~[board]~~ institute shall designate the election district in
6 which the clerk of the ~~[board of cooperative educational services]~~ NY
7 polytechnical institute shall be present. Where the ~~[board of cooper-~~
8 ~~ative educational services]~~ NY polytechnical institute has been divided
9 into election districts, the inspectors of election shall make a written
10 report of the results of the ballot, signed by all such inspectors, to
11 the chief inspector of election of each election district. The chief
12 inspector of election of each election district shall within twenty-four
13 hours file such written report with the clerk of the ~~[board of cooper-~~
14 ~~ative educational services]~~ NY polytechnical institute. The ~~[board]~~
15 institute shall thereupon within twenty-four hours tabulate and declare
16 the results of the ballot.

17 r. All disputes concerning the validity of any meeting of the voters
18 of a ~~[board of cooperative educational services]~~ NY polytechnical insti-
19 tute or of any of the acts of the officers of such meeting shall be
20 referred to the commissioner of education for determination and ~~[his]~~
21 their decisions in the matter shall be final and not subject to review.
22 The commissioner may in ~~[his]~~ their discretion order a new meeting.

23 s. The ~~[board of cooperative educational services]~~ NY polytechnical
24 institute shall provide absentee ballots to qualified voters. The
25 commissioner shall adopt regulations for the purposes of implementing
26 the provisions of this paragraph which shall include, but not be limited
27 to, creating the procedure for which such absentee ballots shall be
28 submitted; providing that such absentee ballots shall be, as nearly as
29 practicable, in the same form as those voted at the district election;
30 requiring that any absentee ballot applicant is or will be, on the day
31 of the vote, a qualified voter of the ~~[board of cooperative educational~~
32 ~~services]~~ NY polytechnical institute and that ~~[he or she]~~ they will be
33 on such date over eighteen years of age, a citizen of the United States
34 and has or will have resided in said district for thirty days next
35 preceding such date; and providing instructions as to the proper marking
36 thereof.

37 t. The ~~[board of cooperative educational services]~~ NY polytechnical
38 institute shall provide early mail ballots to qualified voters. The
39 commissioner shall adopt regulations for the purposes of implementing
40 the provisions of this paragraph which shall include, but not be limited
41 to, creating the procedure for which such early mail ballots shall be
42 submitted; providing that such early mail ballots shall be, as nearly as
43 practicable, in the same form as those voted at the district election;
44 requiring that any early mail ballot applicant is or will be, on the day
45 of the vote, a qualified voter of the ~~[board of cooperative educational~~
46 ~~services]~~ NY polytechnical institute and that ~~[he or she]~~ they will be
47 on such date over eighteen years of age, a citizen of the United States
48 and has or will have resided in said district for thirty days next
49 preceding such date; and providing instructions as to the proper marking
50 thereof.

51 3. a. For the nineteen hundred ninety-seven--ninety-eight school year
52 and thereafter, the commissioner shall prescribe, in consultation with
53 the comptroller of the state of New York and within the general taxonomy
54 of accounts established by the comptroller pursuant to section thirty-
55 six of the general municipal law, a uniform and specific taxonomy for
56 service programs and activities of ~~[boards of cooperative educational~~

1 ~~services~~] NY polytechnical institutes. In developing such prescribed
2 taxonomy, the commissioner shall consider the recommendations of an
3 advisory panel of district superintendents of schools or their represen-
4 tatives as appointed by the commissioner for such purpose.

5 b. In developing and adopting a budget for the nineteen hundred nine-
6 ty-seven--ninety-eight school year pursuant to this article, each [~~board~~
7 ~~of cooperative educational services~~] NY polytechnical institute may use
8 the same locally selected specific taxonomy for service programs and
9 activities as used for the nineteen hundred ninety-six--ninety-seven
10 school year within the general taxonomy of accounts established by the
11 comptroller pursuant to section thirty-six of the general municipal law,
12 provided that all such accounts shall be converted to the uniform and
13 specific taxonomy prescribed by the commissioner pursuant to paragraph a
14 of this subdivision by October first, nineteen hundred ninety-seven and
15 provided that copies of the approved program, capital and administrative
16 budgets as converted to such uniform and specific taxonomy shall be
17 submitted to the commissioner on or before October first, nineteen
18 hundred ninety-seven.

19 c. In developing and adopting a budget pursuant to this article for
20 the nineteen hundred ninety-eight--ninety-nine school year and thereaft-
21 er, each [~~board of cooperative educational services~~] NY polytechnical
22 institute shall use the uniform and specific taxonomy for service
23 programs and activities prescribed by the commissioner pursuant to para-
24 graph a of this subdivision.

25 § 5. Section 1952 of the education law, as amended by chapter 53 of
26 the laws of 1986, is amended to read as follows:

27 § 1952. Technologies network ties program. 1. There is hereby estab-
28 lished a model technologies network ties program to pilot innovative
29 uses of technology for interactive instruction and administrative
30 purposes, in order to determine the feasibility of developing a state-
31 wide technologies network ties program.

32 2. The commissioner shall develop a plan, subject to the approval of
33 the director of the budget, for the allocation of such funds as may be
34 made available for this program, including competitive grants to school
35 districts and [~~boards of cooperative educational services~~] NY polytech-
36 nical institutes for interactive instruction. Such plan shall include a
37 listing of the school districts, [~~boards of cooperative educational~~
38 ~~services~~] NY polytechnical institutes and library network systems
39 selected to take part in the pilot program.

40 3. Objectives of the program shall include the development of a
41 network consisting of a structure which will electronically link all
42 participating agencies and allow for the transfer of administrative and
43 instructional data between and among the participating sites. The
44 commissioner, in consultation with appropriate consultants and represen-
45 tatives of participating districts and [~~boards of cooperative educa-~~
46 ~~tional services~~] NY polytechnical institutes, will be responsible for
47 determining the appropriate communication standards and protocols for
48 the selection of hardware and software to be used in all facets of the
49 project.

50 4. The commissioner shall adopt regulations to implement the
51 provisions of this section.

52 § 6. Subdivisions 1 and 2 of section 57.17 of the arts and cultural
53 affairs law, as added by chapter 737 of the laws of 1987, are amended to
54 read as follows:

55 1. "Local government" means any county, city, town, village, school
56 district, [~~board of cooperative educational services~~] NY polytechnical

1 institute, district corporation, public benefit corporation, public
2 corporation, or other government created under state law that is not a
3 state department, division, board, bureau, commission or other agency,
4 heretofore or hereafter established by law.

5 2. "Governing body" means the town board, village board of trustees,
6 city council, county legislature or board of supervisors, board of
7 education or board of trustees of a school district or [~~board of cooper-~~
8 ~~ative educational services~~] NY polytechnical institute, board of fire
9 commissioners or other body authorized by law to govern the affairs of a
10 local government.

11 § 7. Paragraph (b) of subdivision 2-g of section 16 of the agriculture
12 and markets law, as added by chapter 285 of the laws of 2021, is amended
13 to read as follows:

14 (b) the development of educational materials about animal and plant
15 fiber, especially for young people, in cooperation with cooperative
16 extension, [~~boards of cooperative educational services~~] NY polytechnical
17 institutes, local fairs, and the state fair.

18 § 8. Subdivision 3 of section 31-g of the agriculture and markets law,
19 as amended by chapter 528 of the laws of 2013, is amended to read as
20 follows:

21 3. "Municipality" shall mean any county, town, village, city, school
22 district, [~~board of cooperative educational services~~] NY polytechnical
23 institute, other special district, or any office or agency thereof.

24 § 9. Paragraph (c) of subdivision 1 of section 107-a of the banking
25 law, as added by chapter 708 of the laws of 1992, is amended to read as
26 follows:

27 (c) "Political subdivision". Any municipal corporation, school
28 district, [~~board of cooperative educational services~~] NY polytechnical
29 institute, district corporation, special improvement district governed
30 by a separate board of commissioners or a public library.

31 § 10. Subdivision 3 of section 200 of the economic development law, as
32 added by chapter 839 of the laws of 1987, is amended to read as follows:

33 3. "Educational agency" shall mean a school district, [~~board of coop-~~
34 ~~erative educational services~~] NY polytechnical institute, community
35 college, agricultural and technical college, or degree-granting institu-
36 tion of higher education, or an independent not-for-profit organization
37 which meets the standards of instructional quality established in regu-
38 lation by the commissioner of education. These standards shall include,
39 but not be limited to, qualifications of administrative and instruc-
40 tional personnel, quality of established curricula, facilities and
41 equipment, recordkeeping, admission, grading, attendance, and record of
42 placement of completers which meets standards of acceptability as estab-
43 lished by the commissioner of education.

44 § 11. Paragraph (b) of subdivision 2 of section 201 of the economic
45 development law, as amended by chapter 435 of the laws of 1990, is
46 amended to read as follows:

47 (b) upon the recommendation of the interagency review committee,
48 execute and monitor grants and contracts to carry out the purposes of
49 this article or authorize grants and contracts to be executed and moni-
50 tored by the department of labor for projects which provide on-the-job
51 training reimbursements to businesses as described in this article and
52 for such labor exchange and other related services as are agreed upon by
53 the agencies, by the state education department for projects which
54 provide classroom based training which will be delivered by school
55 districts, [~~boards of cooperative educational services~~] NY polytechnical
56 institutes and private degree-granting institutions of higher education

1 and by the state university or the city university for projects which
2 provide classroom based training which will be delivered by community
3 colleges, agricultural and technical colleges, and public degree-grant-
4 ing institutions of higher education or authorize such other arrange-
5 ments as, upon the recommendation of the interagency review committee,
6 the commissioner determines will advance the purposes of this program;

7 § 12. Subdivision 1 of section 211 of the economic development law, as
8 amended by section 1 of part GGG of chapter 58 of the laws of 2023, is
9 amended to read as follows:

10 1. The department shall establish and support, within available appro-
11 priations, entrepreneurship assistance centers at career education agen-
12 cies, municipal agencies, and not-for-profit corporations including, but
13 not limited to, local development corporations, chambers of commerce,
14 community-based business outreach centers and other community-based
15 organizations. The purpose of such centers shall be to train minority
16 group members, women, individuals with a disability, dislocated workers
17 and veterans in the principles and practice of entrepreneurship in order
18 to prepare such persons to pursue self-employment opportunities and to
19 pursue a designation as a minority business enterprise or a women-owned
20 business enterprise. Such centers shall provide for training in all
21 aspects of business development and small business management as defined
22 by the commissioner. For purposes of this section, "career education
23 agency" shall mean a community college or [~~board of cooperative educa-~~
24 ~~tional services~~] NY polytechnical institute operating within the state.

25 § 12-a. Subdivision 1 of section 211 of the economic development law,
26 as added by chapter 398 of the laws of 2018, is amended to read as
27 follows:

28 1. The department shall establish and support, within available appro-
29 priations, entrepreneurship assistance centers at career education agen-
30 cies and not-for-profit corporations including, but not limited to,
31 local development corporations, chambers of commerce, community-based
32 business outreach centers and other community-based organizations. The
33 purpose of such centers shall be to train minority group members, women,
34 individuals with a disability, dislocated workers and veterans in the
35 principles and practice of entrepreneurship in order to prepare such
36 persons to pursue self-employment opportunities and to pursue a minority
37 business enterprise or a women-owned business enterprise. Such centers
38 shall provide for training in all aspects of business development and
39 small business management as defined by the commissioner. For purposes
40 of this section, "career education agency" shall mean a community
41 college or [~~board of cooperative educational services~~] NY polytechnical
42 institute operating within the state.

43 § 13. Paragraph 5 of subdivision (b) of section 8018 of the civil
44 practice law and rules, as added by chapter 428 of the laws of 2023, is
45 amended to read as follows:

46 5. to a civil cause of action in which a city, town, village, fire
47 district, district corporation, school district or [~~board of cooperative~~
48 ~~educational services~~] NY polytechnical institute is the plaintiff; or

49 § 14. Subdivision (g) of section 35 of the civil service law, as
50 amended by chapter 1167 of the laws of 1971, is amended to read as
51 follows:

52 (g) all persons employed by any title whatsoever as members of the
53 teaching and supervisory staff of a school district, [~~board of cooper-~~
54 ~~ative educational services~~] NY polytechnical institute or county voca-
55 tional education and extension board, as certified to the state commis-
56 sion by the commissioner of education. The commissioner of education

1 shall prescribe qualifications for appointment for all classes of posi-
2 tions so certified by ~~[him]~~ them, and shall establish specifications
3 setting forth the qualifications for and the nature and scope of the
4 duties and responsibility of such positions. The commissioner of educa-
5 tion shall file such qualifications for appointment and such specifica-
6 tions with the civil service commission;

7 § 15. Section 62 of the civil service law, as amended by chapter 74 of
8 the laws of 1967 and the second undesignated paragraph as added by chap-
9 ter 195 of the laws of 1990, is amended to read as follows:

10 § 62. Constitutional oath upon appointment. Every person employed by
11 the state or any of its civil divisions, except an employee in the labor
12 class, before ~~[he]~~ they shall be entitled to enter upon the discharge of
13 any of ~~[his]~~ their duties, shall take and file an oath or affirmation in
14 the form and language prescribed by the constitution for executive,
15 legislative and judicial officers, which may be administered by any
16 officer authorized to take the acknowledgment of the execution of a deed
17 of real property, or by an officer in whose office the oath is required
18 to be filed. In lieu of such oath administered by an officer, an employ-
19 ee may comply with the requirements of this section by subscribing and
20 filing the following statement: "I do hereby pledge and declare that I
21 will support the constitution of the United States, and the constitution
22 of the state of New York, and that I will faithfully discharge the
23 duties of the position of, according to the best of my
24 ability. " Such oath or statement shall be required only upon original
25 appointment or upon a new appointment following an interruption of
26 continuous service, and shall not be required upon promotion, demotion,
27 transfer, or other change of title during the continued service of the
28 employee, or upon the reinstatement pursuant to law or rules of an
29 employee whose services have been terminated and whose last executed
30 oath or statement is on file. The oath of office heretofore taken by any
31 employee as previously required by law, and the oath of office hereafter
32 taken or statement hereafter subscribed by any employee pursuant to this
33 section, shall extend to and encompass any position or title in which
34 such person may serve as an employee during the period of ~~[his]~~ their
35 continuous service following the taking of such oath or subscribing of
36 such statement, and ~~[his]~~ their acceptance of such new title shall
37 constitute a reaffirmance of such oath or statement. The oath or state-
38 ment of every state employee shall be filed in the office of the secre-
39 tary of state, of every employee of a municipal corporation with the
40 clerk thereof, and of every other employee, including the employees of a
41 public library and the employees of ~~[boards of cooperative educational~~
42 services] NY polytechnical institutes, if no place be otherwise provided
43 by law, in the office of the clerk of the county in which ~~[he]~~ they
44 shall reside. The refusal or wilful failure of such employee to take and
45 file such oath or subscribe and file such statement shall terminate
46 ~~[his]~~ their employment until such oath shall be taken and filed or
47 statement subscribed and filed as herein provided.

48 An enrolled member of an Indian nation or an Indian individual having
49 an affiliation with an Indian nation recognized by the United States or
50 the state of New York may elect to comply with the requirements of this
51 section by instead subscribing and filing the following statement:

52 "I do solemnly affirm that I will faithfully discharge the duties of
53 the position of _____ according to the best of my ability, and
54 perform my duties in a manner consistent with the constitution of the
55 United States and the constitution of the state of New York."

§ 16. Section 159-b of the civil service law, as amended by chapter 465 of the laws of 2017, is amended to read as follows:

§ 159-b. Excused leave to undertake a screening for cancer. 1. Every public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any ~~[board of cooperative educational services (BOCES)]~~ NY polytechnical institute, employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system shall be entitled to absent ~~[himself or herself]~~ themselves and shall be deemed to have a paid leave of absence from ~~[his or her]~~ their duties or service as such public officer or employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any ~~[board of cooperative educational services (BOCES)]~~ NY polytechnical institute, employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district, or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system for a sufficient period of time, not to exceed four hours on an annual basis, to undertake a screening for cancer.

2. The entire period of the leave of absence granted pursuant to this section shall be excused leave and shall not be charged against any other leave such public officer, employee of this state, employee of any county, employee of any community college, employee of any public authority, employee of any public benefit corporation, employee of any ~~[board of cooperative educational services (BOCES)]~~ NY polytechnical institute, employee of any vocational education and extension board, or a school district enumerated in section one of chapter five hundred sixty-six of the laws of nineteen hundred sixty-seven, employee of any municipality, employee of any school district or any employee of a participating employer in the New York state and local employees' retirement system or any employee of a participating employer in the New York state teachers' retirement system is otherwise entitled to.

§ 17. Intentionally omitted.

§ 18. Paragraphs (d) and (f) of subdivision 7 of section 201 of the civil service law, paragraph (d) as amended and paragraph (f) as added by chapter 769 of the laws of 1989, are amended to read as follows:

(d) A substitute teacher or a person employed in a nonpedagogical position who has received a reasonable assurance of continuing employment in accordance with subdivision ten or eleven of section five hundred ninety of the labor law which is sufficient to disqualify the substitute teacher or person employed in a nonpedagogical position from receiving unemployment insurance benefits shall be deemed to be an employee of the school district or ~~[board of cooperative educational services]~~ NY polytechnical institute that has furnished such reasonable assurance of continuing employment; provided however that for the purposes of this article only, the determination of whether such reasonable assurance was furnished shall be made as if such determination were

1 made prior to the promulgation by the United States department of labor
2 of program letter number 4-87, dated December twenty-fourth, nineteen
3 hundred eighty-six.

4 (f) The term "public employee" means any person employed by a school
5 district or ~~[board of cooperative educational services]~~ NY polytechnical
6 institute not otherwise deemed to be a public employee pursuant to the
7 provisions of this subdivision, but who would be deemed a public employ-
8 ee under precedents or standards utilized or promulgated by the board
9 for determining whether a person employed in a part-time, seasonal or
10 casual position by a public employer other than a school district or
11 ~~[board of cooperative educational services]~~ NY polytechnical institute
12 would be a public employee under paragraph (a) of this subdivision,
13 taking into account the length of the school day and school year.

14 § 19. Paragraph (f) of subdivision 3 of section 209 of the civil
15 service law, as amended by chapter 216 of the laws of 1977, is amended
16 to read as follows:

17 (f) where the public employer is a school district, a ~~[board of coop-~~
18 ~~erative educational services]~~ NY polytechnical institute, a community
19 college, the state university of New York, or the city university of New
20 York, the provisions of subparagraphs (iii) and (iv) of paragraph (e) of
21 this subdivision shall not apply, and (i) the board may afford the
22 parties an opportunity to explain their positions with respect to the
23 report of the fact-finding board at a meeting at which the legislative
24 body, or a duly authorized committee thereof, may be present; (ii) ther-
25 eafter, the legislative body may take such action as is necessary and
26 appropriate to reach an agreement. The board may provide such assistance
27 as may be appropriate.

28 § 20. Subdivision 19 of section 2 of the education law, as added by
29 chapter 725 of the laws of 1980, is amended to read as follows:

30 19. Expenditures. For purposes of computing aid to public school
31 districts, ~~[boards of cooperative educational services]~~ NY polytechnical
32 institutes, nonpublic elementary and secondary schools, public and coop-
33 erative library systems or public and free association libraries pursu-
34 ant to this chapter or any other law, such aid shall be computed using
35 state aid worksheets developed pursuant to regulations of the commis-
36 sioner, designed to reflect use of the state comptroller's definition of
37 expenditures to the extent possible. Such worksheet definitions of
38 expenditures shall be used notwithstanding the fact that this chapter or
39 other applicable law may use terms such as cash expenditures, expenses,
40 costs, paid, payments, or other such terms.

41 § 21. Paragraphs c and f of subdivision 1 of section 2-c of the educa-
42 tion law, as added by section 1 of subpart K of part AA of chapter 56 of
43 the laws of 2014, are amended to read as follows:

44 c. "Shared learning infrastructure service provider" or "SLISP" shall
45 mean any entity that collects, stores, organizes, or aggregates student
46 information and contracts with or enters into an agreement with the
47 department for the purposes of providing student information to a data
48 dashboard operator for use in a data dashboard. Provided that the term
49 SLISP shall not include ~~[boards of cooperative educational services]~~ NY
50 polytechnical institutes or regional information centers operated by
51 ~~[boards of cooperative educational services]~~ NY polytechnical institutes
52 or other public entities.

53 f. "Educational agency" shall mean any public school district, ~~[board~~
54 ~~of cooperative educational services]~~ NY polytechnical institute, special
55 act school district, public school kindergarten program, universal pre-
56 kindergarten programs authorized pursuant to section thirty-six hundred

1 two-e of this chapter, publicly funded pre-kindergarten programs,
2 approved preschool special education programs pursuant to section
3 forty-four hundred ten of this chapter, approved private school for the
4 education of students with disabilities and a state supported or state
5 operated school subject to the provisions of article eighty-five, eight-
6 y-seven or eighty-eight of this chapter.

7 § 22. Paragraph c of subdivision 1 of section 2-d of the education
8 law, as added by section 1 of subpart L of part AA of chapter 56 of the
9 laws of 2014, is amended to read as follows:

10 c. "Educational agency" means a school district, [~~board of cooperative~~
11 ~~educational services~~] NY polytechnical institute, school, or the educa-
12 tion department.

13 § 23. Subdivision 2 of section 101-b of the education law, as added by
14 chapter 378 of the laws of 2010, is amended to read as follows:

15 2. It shall be the duty of the commissioner to review all existing
16 reports and plans that school districts and [~~boards of cooperative~~
17 ~~educational services~~] NY polytechnical institutes are required to submit
18 and by November first, two thousand ten, the commissioner shall submit
19 to the board of regents, the governor, the speaker of the assembly, the
20 temporary president of the senate, the director of the budget and the
21 chairs of the respective fiscal and education committees of the senate
22 and assembly specific recommendations to eliminate unnecessary or dupli-
23 cative reporting requirements; and where possible, recommendations to
24 consolidate reports, plans and other information required to be submit-
25 ted to the commissioner including which recommendations could be imple-
26 mented administratively and which would require statutory authorization.

27 § 24. Paragraph (i) of subdivision 5 of section 211-e of the education
28 law, as added by chapter 103 of the laws of 2010, is amended to read as
29 follows:

30 (i) "educational partnership organization" means a [~~board of cooper-~~
31 ~~ative educational services~~] NY polytechnical institute, a public or
32 independent, non-profit institution of higher education, a cultural
33 institution, or a private, non-profit organization with a proven record
34 of success in intervening in low-performing schools, as determined by
35 the commissioner, provided that such term shall not include a charter
36 school;

37 § 25. Subdivisions 2, 3, 4, and 5 of section 213 of the education law,
38 subdivisions 2 and 3 as amended and subdivisions 4 and 5 as added by
39 chapter 724 of the laws of 1961, are amended to read as follows:

40 2. In carrying out the provisions of subdivision one of this section,
41 the regents may: a. Contract with institutions in the university,
42 school districts, [~~boards of cooperative educational services~~] NY poly-
43 technical institutes or other non-profit educational agencies for the
44 acquisition from such institutions, school districts, boards or agencies
45 of sound films, kinescopes, audio recordings and video recordings,
46 scripts, research reports or related educational television materials,
47 for the use of the department, or for the production of educational
48 television programs:

49 b. Lease, to school districts, [~~boards of cooperative educational~~
50 ~~services~~] NY polytechnical institutes or television corporations created
51 pursuant to section two hundred thirty-six of this chapter, educational
52 television facilities, including transmitters, micro-wave relay facili-
53 ties, production centers, closed-circuit systems and any equipment
54 necessary therefor, constructed or acquired, and owned by the state,
55 leased by the state, or contract with such districts, [~~boards of cooper-~~

1 ~~ative educational services~~ NY polytechnical institutes or corporations
2 for the operation of such facilities:

3 c. Lease and operate a television station in the city of New York.

4 3. For the purpose of carrying out the provisions of subdivision two
5 of this section, the regents may make rules or authorize the commission-
6 er to make regulations providing standards for research and experimenta-
7 tion, operation and programming of educational television by the state
8 and the school districts, [~~boards of cooperative educational services~~]
9 NY polytechnical institutes, institutions, corporations and agencies,
10 respectively.

11 4. In carrying out the provisions of subdivisions one and two of this
12 section and in order to encourage and stimulate the further development
13 and use of educational television in the state of New York and for the
14 purposes of providing educational services and facilities for pupils in
15 the public schools of the state of New York, the board of regents is
16 hereby authorized to make additional apportionments to school districts
17 or [~~boards of cooperative educational services~~] NY polytechnical insti-
18 tutes in accordance with the provisions of this subdivision to encourage
19 and assist such districts or [~~boards~~] institutes to install and operate
20 a broadcast or closed-circuit television system, or television receiving
21 equipment for the improvement of classroom instruction.

22 a. Any school district or [~~board of cooperative educational services~~]
23 NY polytechnical institute planning to establish such a program shall
24 submit to the commissioner of education on or before the first day of
25 May of the school year preceding the school year during which the
26 program is to be conducted an application, together with such informa-
27 tion as the commissioner of education shall require, including at least
28 a complete statement of purposes of the program, the detailed procedures
29 of operation, a detailed estimate of the cost of such program and a
30 complete description of the installation and equipment to be installed
31 and the detailed procedures of evaluations to be used in determining the
32 improvement of classroom instruction.

33 b. The commissioner of education shall establish procedures for eval-
34 uations of such programs. One such program for each school district or
35 [~~board of cooperative educational services~~] NY polytechnical institute
36 may be approved by the commissioner of education, and any program so
37 approved by the commissioner of education shall be placed on a list in
38 accordance with the educational merit and value of the program, and the
39 date of receipt of the application, where several programs are evaluated
40 as having equal merit and value.

41 c. Apportionment shall then be made in accordance with the formula
42 contained in paragraph d of this subdivision, in the order of such
43 programs on the list established in accordance with paragraph b of this
44 subdivision within the amount of the appropriation therefor.

45 d. Any district or [~~board~~] institute which proposes to install and
46 operate a broadcast or closed-circuit television system or television
47 receiving equipment for the improvement of classroom instruction, in
48 accordance with a program approved as provided in this subdivision and
49 to the extent that funds are available pursuant to this subdivision,
50 shall be entitled to an apportionment during the five-year period
51 following the approval of the program as follows:

52 Fifty per cent of the approved cost relative to the acquisition and
53 installation of the equipment, and during the first year fifty per cent
54 of the approved operational expenses in connection with the approved
55 operation of the program; during the second year forty per cent of the
56 approved operational expenses in connection with the approved operation

1 of the program; during the third year thirty per cent of the approved
2 operational expenses in connection with the approved operation of the
3 program; during the fourth year twenty per cent of the approved opera-
4 tional expenses in connection with the approved operation of the
5 program; and during the fifth year ten per cent of the approved opera-
6 tional expenses in connection with the approved operation of the
7 program.

8 5. A school district or a [~~board of cooperative educational services~~]
9 NY polytechnical institute is hereby authorized and empowered to do and
10 perform any and all acts necessary or convenient to enable it to carry
11 out the provisions of this section.

12 § 26. Subdivision 1 of section 215-a of the education law, as amended
13 by chapter 44 of the laws of 2000, is amended to read as follows:

14 1. The regents of the university of the state of New York shall
15 prepare and submit to the governor, the temporary president of the
16 senate, and the speaker of the assembly, not later than the first day of
17 January, nineteen hundred eighty-nine, nineteen hundred ninety and nine-
18 teen hundred ninety-one and the fifteenth day of February of each year
19 thereafter, a report concerning the schools of the state which shall set
20 forth with respect to the preceding school year: enrollment trends;
21 indicators of student achievement in reading, writing, mathematics,
22 science and vocational courses; graduation, college attendance and
23 employment rates; such other indicators of student performance as the
24 regents shall determine; information concerning teacher and administra-
25 tor preparation, turnover, in-service education and performance; infor-
26 mation concerning school library expenditures and school library media
27 specialist employment; expenditure per pupil on regular education and
28 expenditure per pupil on special education and such other information as
29 requested by the governor, the temporary president of the senate, or the
30 speaker of the assembly. To the extent practicable, all such information
31 shall be displayed on both a statewide and individual district basis and
32 by racial/ethnic group and gender. The regents are authorized to require
33 school districts, [~~boards of cooperative educational services~~] NY poly-
34 technical institutes and nonpublic schools to provide such information
35 as is necessary to prepare the report. In preparing the report, the
36 regents shall consult with other interested parties, including local
37 school districts, teachers' and faculty organizations, school adminis-
38 trators, parents and students.

39 § 27. Section 215-b of the education law, as amended by chapter 301 of
40 the laws of 1996, is amended to read as follows:

41 § 215-b. Annual report by commissioner to governor and legislature.
42 The commissioner shall prepare and submit to the governor, the president
43 pro tem of the senate and the speaker of the assembly not later than
44 January first, nineteen hundred ninety-six and by the first day of Janu-
45 ary in each year thereafter, a report detailing the financial and
46 statistical outcomes of [~~boards of cooperative educational services~~] NY
47 polytechnical institutes which shall, at minimum, set forth with respect
48 to the preceding school year: tuition costs for selected programs; stan-
49 dard per pupil cost information for selected services as determined by
50 the commissioner; and aggregate expenditure data for the following cate-
51 gories: administration, instructional services, career education,
52 special education, rent and facilities and other services; and such
53 other information as deemed appropriate by the commissioner. The format
54 for such report shall be developed in consultation with school district
55 officials and the director of the budget. Such report will include
56 changes from the year prior to the report year for each such item for

1 all [~~boards of cooperative educational services~~] NY polytechnical insti-
2 tutes. Such report shall be distributed to all school districts and
3 [~~boards of cooperative educational services~~] NY polytechnical insti-
4 tutes and shall be made available to all other interested parties upon
5 request.

6 § 28. Subdivision 2 of section 215-c of the education law, as added by
7 chapter 474 of the laws of 1996, is amended to read as follows:

8 2. The board and the commissioner shall wherever practicable promote
9 cost-effectiveness and cost-effective practices in the public elementary
10 and secondary schools and [~~boards of cooperative educational services~~]
11 NY polytechnical institutes of the state. As part of the effort pursuant
12 to this section, by January first, nineteen hundred ninety-eight and
13 periodically thereafter, the commissioner shall (a) identify current
14 structures, policies, laws and regulations which hinder cost-effective-
15 ness in schools and school districts; (b) identify cost-effective
16 districts by determining which schools or school districts have demon-
17 strated significant achievement or improvement relative to resource
18 allocation in such areas as student performance, instruction, manage-
19 ment, business administration, early childhood education and such other
20 areas as the board deems appropriate; (c) identify cost-effective
21 action, policies, practices and programs which may be successfully
22 replicated in other school districts; and (d) recommend or, to the
23 extent feasible, develop specific cost-effective ways in which to
24 encourage, recognize and reward academic improvement and success in
25 school districts, and remove existing penalties and fiscal disincentives
26 to such improvement or success.

27 § 29. Section 282 of the education law, as added by chapter 348 of the
28 laws of 1984, is amended to read as follows:

29 § 282. Establishment of school library systems. The commissioner is
30 authorized to approve the establishment of school library systems, each
31 system to be composed of school districts which are located within a
32 [~~board of cooperative educational services~~] NY polytechnical institute
33 area, or a school district serving a city with a population of one
34 hundred twenty-five thousand or more, or combinations thereof. The
35 systems may include non-public school libraries as defined in regu-
36 lations to be promulgated by the commissioner. Upon establishment, such
37 school library systems shall be governed by either their respective
38 [~~boards of cooperative educational services~~] NY polytechnical
39 institutes, by boards of education in school districts serving cities
40 with populations of one hundred twenty-five thousand or more, or by a
41 governing body established under the plan to be submitted to the commis-
42 sioner in cases of systems serving a combination of areas.

43 § 30. Subparagraph 2 of paragraph e of subdivision 1 of section 284 of
44 the education law, as amended by section 5 of part 0 of chapter 57 of
45 the laws of 2005, is amended to read as follows:

46 (2) five hundred dollars per public school district located within
47 such system, and a minimum of four thousand three hundred dollars per
48 system located within a [~~board of cooperative educational services~~] NY
49 polytechnical institute area, or five thousand dollars per city school
50 district of a city with a population of one hundred twenty-five thousand
51 inhabitants or more, and

52 § 31. Paragraph b of subdivision 21, subdivisions 25, 27, 28, 30, 45,
53 51, 54, and 56, subparagraph (iii) of paragraph a and paragraph b of
54 subdivision 56, subdivision 59, the opening paragraph of subdivision 60,
55 and paragraph b of subdivision 62 of section 305 of the education law,
56 paragraph b of subdivision 21 as amended by section 61 of part YYY of

chapter 59 of the laws of 2017, subdivision 25 as added by chapter 474 of the laws of 1996, subdivision 27 as added by section 1 of part A of chapter 436 of the laws of 1997, subdivision 28 as added by section 3-a of part L of chapter 405 of the laws of 1999, subdivision 30 as added by chapter 180 of the laws of 2000, paragraphs (a) and (d), the opening paragraph and subparagraph (i) of paragraph (b), and subparagraph (vii) of paragraph (c) of subdivision 30 as amended by chapter 630 of the laws of 2006, subparagraph (vi) as added and subparagraph (viii) of paragraph (c) of subdivision 30 as renumbered by chapter 182 of the laws of 2000, paragraph (e) of subdivision 30 as added by chapter 147 of the laws of 2001, subdivision 45 as added by section 1 of subpart B of part AA of chapter 56 of the laws of 2014, subdivision 51 as amended by chapter 67 of the laws of 2019, subdivision 54 as added by section 4 of subpart C of part B of chapter 20 of the laws of 2015, subdivision 56 as added by chapter 216 of the laws of 2017, subparagraph (iii) of paragraph a and paragraph b of subdivision 56 as added by chapter 347 of the laws of 2017, subdivision 59 as added by section 4 of subpart A of part JJ of chapter 56 of the laws of 2021, the opening paragraph of subdivision 60 as added by chapter 350 of the laws of 2023, and paragraph b of subdivision 62 as added by chapter 361 of the laws of 2024, are amended to read as follows:

b. The commissioner shall periodically prepare an updated electronic data file containing actual and estimated data relating to apportionments due and owing during the current school year and projections of such apportionments for the following school year to school districts and ~~[boards of cooperative educational services]~~ NY polytechnical institutes from the general support for public schools, growth and ~~[boards of cooperative educational services]~~ NY polytechnical institutes appropriations on the following dates: November fifteenth, or such alternative date as may be requested by the director of the budget for the purpose of preparation of the executive budget; February fifteenth, or such alternative date as may be jointly requested by the chair of the senate finance committee and the chair of the assembly ways and means committee; and May fifteenth. For the purposes of using estimated data for projections of apportionments for the following school year, when no specific apportionment has yet been made for such school year, but such apportionment has a history of annual reauthorization, the commissioner shall estimate the apportionment at the same level as the preceding school year, subject to the annual approval of the director of the budget, the chairperson of the senate finance committee and the chairperson of the assembly ways and means committee.

25. The commissioner shall conduct periodic fiscal audits of ~~[boards of cooperative educational services]~~ NY polytechnical institutes as defined in section nineteen hundred fifty of this chapter and, to the extent sufficient resources are provided the department for such purpose, shall assure that each such ~~[board of cooperative educational services]~~ NY polytechnical institute is audited at least once every three years.

27. The commissioner shall promulgate regulations in consultation with the New York state energy research and development authority concerning the development and approval of energy performance contracts for school districts and ~~[boards of cooperative educational services]~~ NY polytechnical institutes in accordance with subdivision eight of section 9-103 of the energy law.

28. On or before April first, two thousand, the commissioner shall develop and implement an automated ~~[board of cooperative educational~~

1 ~~services~~] NY polytechnical institute state aid reporting system for the
2 purpose of tracking and reporting state and local expenditures for aid-
3 ble shared services pursuant to subdivision five of section nineteen
4 hundred fifty of this chapter. Such system shall track state and local
5 expenditures in the manner prescribed by the commissioner, provided
6 that, at a minimum, such system shall report such expenditures by [~~board~~
7 ~~of cooperative educational services~~] NY polytechnical institute, by type
8 of cooperative service agreement (CO-SER) and by component school
9 district. In addition, such system shall report expenses and aid totals,
10 as well as expenditures and aid per resident weighted average daily
11 attendance.

12 30. (a) The commissioner, in cooperation with the division of criminal
13 justice services and in accordance with all applicable provisions of
14 law, shall promulgate rules and regulations to require the fingerprint-
15 ing of prospective employees, as defined in section eleven hundred twen-
16 ty-five of this chapter, of school districts, charter schools and
17 [~~boards of cooperative educational services~~] NY polytechnical institutes
18 and authorizing the fingerprinting of prospective employees of nonpublic
19 and private elementary and secondary schools, and for the use of infor-
20 mation derived from searches of the records of the division of criminal
21 justice services and the federal bureau of investigation based on the
22 use of such fingerprints. The commissioner shall also develop a form for
23 use by school districts, charter schools, [~~boards of cooperative educa-~~
24 ~~tional services~~] NY polytechnical institutes, and nonpublic and private
25 elementary and secondary schools in connection with the submission of
26 fingerprints that contains the specific job title sought and any other
27 information that may be relevant to consideration of the applicant. The
28 commissioner shall also establish a form for the recordation of allega-
29 tions of child abuse in an educational setting, as required pursuant to
30 section eleven hundred twenty-six of this chapter. No person who has
31 been fingerprinted pursuant to section three thousand four-b of this
32 chapter or pursuant to section five hundred nine-cc or twelve hundred
33 twenty-nine-d of the vehicle and traffic law and whose fingerprints
34 remain on file with the division of criminal justice services shall be
35 required to undergo fingerprinting for purposes of a new criminal histo-
36 ry record check. This subdivision and the rules and regulations promul-
37 gated pursuant thereto shall not apply to a school district within a
38 city with a population of one million or more.

39 (b) The commissioner, in cooperation with the division of criminal
40 justice services, shall promulgate a form to be provided to all such
41 prospective employees of school districts, charter schools, [~~boards of~~
42 ~~cooperative educational services~~] NY polytechnical institutes, and
43 nonpublic and private elementary and secondary schools that elect to
44 fingerprint and seek clearance for prospective employees that shall:

45 (i) inform the prospective employee that the commissioner is required
46 or authorized to request [~~his or her~~] their criminal history information
47 from the division of criminal justice services and the federal bureau of
48 investigation and review such information pursuant to this section, and
49 provide a description of the manner in which [~~his or her~~] their finger-
50 print cards will be used upon submission to the division of criminal
51 justice services;

52 (ii) inform the prospective employee that [~~he or she has~~] they have
53 the right to obtain, review and seek correction of [~~his or her~~] their
54 criminal history information pursuant to regulations and procedures
55 established by the division of criminal justice services.

(c) The prospective employer shall obtain the signed, informed consent of the prospective employee on such form supplied by the commissioner which indicates that such person has:

(i) been informed of the right and procedures necessary to obtain, review and seek correction of ~~[his or her]~~ their criminal history information;

(ii) been informed of the reason for the request for ~~[his or her]~~ their criminal history information;

(iii) consented to such request for a report;

(iv) supplied on the form a current mailing or home address for the prospective employee;

(v) been informed that ~~[he or she]~~ they may withdraw ~~[his or her]~~ their application for employment pursuant to this section, without prejudice, at any time before employment is offered or declined, regardless of whether the prospective employee or employer has reviewed such prospective employee's criminal history information;

(vi) where the applicant is to be fingerprinted pursuant to section three thousand thirty-five of this chapter, the process for seeking a waiver of the fees associated with conducting a criminal history records check, pursuant to paragraph (b) of subdivision four of section three thousand thirty-five of this chapter,

(vii) been informed that in the event ~~[his or her]~~ their employment is terminated and such person has not become employed in the same or another school district, charter school, ~~[board of cooperative educational services]~~ NY polytechnical institute, or nonpublic or private elementary or secondary school within twelve-months of such termination, the commissioner shall notify the division of criminal justice services of such termination, and the division of criminal justice services shall destroy the fingerprints of such person. Such person may request that the commissioner notify the division of criminal justice services that ~~[his or her]~~ their fingerprints shall be destroyed prior to the expiration of such twelve month period in which case the commissioner shall notify the division of criminal justice services and the division shall destroy the fingerprints of such person promptly upon receipt of the request; and

(viii) been informed of the manner in which ~~[he or she]~~ they may submit to the commissioner any information that may be relevant to the consideration of ~~[his or her]~~ their application for clearance including, where applicable, information in regard to ~~[his or her]~~ their good conduct and rehabilitation.

(d) The commissioner shall develop forms to be provided to all school districts, charter schools, ~~[boards of cooperative educational services]~~ NY polytechnical institutes, and to all nonpublic and private elementary and secondary schools that elect to fingerprint their prospective employees, to be completed and signed by prospective employees when conditional appointment or emergency conditional appointment is offered.

(e) The commissioner may promulgate rules and regulations regarding the conditional appointment and emergency conditional appointment of a prospective employee.

45. The commissioner shall provide that no school district or ~~[board of cooperative educational services]~~ NY polytechnical institute may place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language arts or mathematics assessment for grades three through eight, provided that nothing herein shall be construed to interfere with required state or federal reporting or to

1 excuse a school district from maintaining or transferring records of
2 such test scores separately from a student's permanent record, including
3 for purposes of required state or federal reporting.

4 51. The commissioner shall, in order to assist school districts and
5 ~~[boards of cooperative educational services]~~ NY polytechnical institutes
6 in developing next generation training programs for teachers and princi-
7 pals, develop professional development tools, resources and materials
8 that school districts, ~~[boards of cooperative educational services]~~ NY
9 polytechnical institutes, teachers and principals may utilize. The
10 commissioner may collaborate with the state university of New York, the
11 city university of New York, and independent colleges and universities
12 to offer effective, data-informed professional development and coaching
13 to meet the needs of implementing the next generation learning stand-
14 ards. Such professional development and coaching shall include necessary
15 materials, age appropriate instruction and resources that provide best
16 practices for the effective implementation of the next generation learn-
17 ing standards. Such support shall be available for the purpose of
18 providing professional development for teachers and principals, as well
19 as preparation programs for participating school districts, ~~[boards of~~
20 ~~cooperative educational services]~~ NY polytechnical institutes, charter
21 schools and communities at large, and may include recommendations for
22 how teachers and principals can collaborate on strategies, including but
23 not limited to study groups and coaching, to improve classroom prac-
24 tices. The commissioner shall also identify regional examples of school
25 districts that have successfully implemented the next generation learn-
26 ing standards, where such examples exist, and shall invite such
27 districts to serve on a voluntary basis as models that principals,
28 teachers and other school professionals within the region may visit and
29 observe. In addition, the commissioner shall include opportunities for
30 teachers and other content-area experts to provide feedback and recom-
31 mendations for the continuous improvement and development of voluntary
32 next generation curriculum modules offered by the department.

33 54. Notwithstanding any law, rule or regulation to the contrary, no
34 teacher, principal, or superintendent shall be required to sign a confi-
35 dentiality agreement with their respective school district, ~~[board of~~
36 ~~cooperative educational services]~~ NY polytechnical institute, or the
37 department that prevents such teacher, principal, or superintendent from
38 discussing the contents of any items on the English language arts and
39 mathematics assessments in grades three through eight after such items
40 have been released by the department pursuant to subdivision fifty-one-a
41 of this section or after such items have been publicly disclosed by the
42 department or other appropriate entity. The commissioner shall amend
43 and/or modify any current confidentiality agreement inconsistent with
44 this subdivision and shall promulgate regulations consistent with this
45 subdivision.

46 56. The commissioner shall issue a guidance memorandum in cooperation
47 with stakeholders and other interested parties, to every school district
48 and ~~[board of cooperative educational services]~~ NY polytechnical insti-
49 tute to inform them of the unique educational needs of students with
50 dyslexia, dyscalculia and dysgraphia and to clarify that school
51 districts may reference or use the terms dyslexia, dyscalculia, and
52 dysgraphia in evaluations, eligibility determinations, or in developing
53 an individualized education program (IEP) under the Individuals with
54 Disabilities Education Act (IDEA) pursuant to part 300 of title 34 of
55 the code of federal regulations, as such regulations may, from time to
56 time, be amended.

(iii) public availability of all materials related to the sepsis awareness, prevention and education program on a dedicated webpage on the department's internet website, and provided at no cost to every school district, [~~board of cooperative educational services~~] NY polytechnical institute, charter school and nonpublic school upon request.

b. The commissioner shall issue a guidance memorandum to every school district, [~~board of cooperative educational services~~] NY polytechnical institute, charter school and nonpublic school, to inform them of the availability of the sepsis awareness, prevention and education program and to encourage them to develop policies and procedures, in consultation with their director of school health services, or the substantial equivalent as determined by the commissioner in regulations, regarding when parents and persons in parental relations are to be notified of illness or injuries occurring in school which affects their child, in accordance with article nineteen of this chapter. The commissioner shall annually remind school districts, [~~boards of cooperative educational services~~] NY polytechnical institutes, charter schools and nonpublic schools, of the availability of sepsis awareness and prevention materials as part of sepsis awareness month.

59. The commissioner shall make available educational materials developed pursuant to subdivision two of section three hundred seventy-c of the social services law to every school district, charter school, nonpublic school, approved preschool, approved preschool special education program, approved private residential or non-residential school for the education of students with disabilities, state-supported school in accordance with article eighty-five of this chapter, and [~~board of cooperative educational services~~] NY polytechnical institute for the purpose of educating parents, guardians and other authorized individuals responsible for the child's care about adverse childhood experiences, the importance of protective factors, and the availability of services for children at risk for or experiencing adverse childhood experiences. The commissioner shall provide that such educational materials are made available online pursuant to subdivision two of section three hundred seventy-c of the social services law.

The commissioner, in consultation with institutions of higher education, shall issue guidance for school districts and [~~boards of cooperative educational services~~] NY polytechnical institutes to use to develop grow your own initiatives aimed at attracting underrepresented candidates into the teaching profession. Such guidance shall include but not be limited to:

b. For the purposes of this subdivision, "school" shall be deemed to include a school district, public school, [~~board of cooperative educational services~~] NY polytechnical institute, special act school district as defined in section four thousand one of this chapter, approved private residential or non-residential school for the education of students with disabilities including private schools established under chapter eight hundred fifty-three of the laws of nineteen hundred seventy-six, and a state-supported school in accordance with article eighty-five of this chapter.

§ 32. The opening paragraph of paragraph a of subdivision 1, subdivisions 2, 3, 5, 6, 7-a, and 8, and paragraph b of subdivision 9 of section 316 of the education law, the opening paragraph of paragraph a of subdivision 1 and subdivisions 2 and 6 as added by chapter 53 of the laws of 1984, subdivision 3 as amended by section 1 of part A of chapter 60 of the laws of 2000, subdivision 5 as amended by section 1 of part L of chapter 405 of the laws of 1999, subdivision 7-a as added by chapter

579 of the laws of 1986, subdivision 8 as amended by section 4-a of part B of chapter 57 of the laws of 2007, and paragraph b of subdivision 9 as added by section 1 of part C of chapter 58 of the laws of 1998, are amended to read as follows:

"Teacher resource and computer training center" means any site operated by a school district, [~~board of cooperative educational services~~] NY polytechnical institute or a consortium of school districts and/or [~~boards of cooperative educational services~~] NY polytechnical institutes which is specifically established pursuant to this section to provide professional support services to teachers within the state in order to:

2. In order to provide the school districts and teachers of the state with an opportunity to develop systematic, ongoing in-service training programs, assure the dissemination and application of educational research developments to classroom instruction and develop new curricula and curricular materials specifically designed to meet the educational needs of the students served, the commissioner shall, within available state appropriations and subject to the procedures established in this section, provide funds to school districts and [~~boards of cooperative educational services~~] NY polytechnical institutes to plan, establish and operate teacher resource and computer training centers. Any school district or [~~board of cooperative educational services~~] NY polytechnical institute requesting such funds shall make application therefor at such time, in such manner, and containing or accompanied by such information as the commissioner may through this section or by regulation require. Applications shall be made within the following categories:

(i) a school district with a teacher population of one thousand or more;

(ii) a school district with a teacher population of five hundred or more but less than one thousand;

(iii) a school district with a teacher population of less than five hundred;

(iv) a [~~board of cooperative educational services~~] NY polytechnical institute; or

(v) a consortium of two or more school districts and/or [~~boards of cooperative educational services~~] NY polytechnical institutes.

3. Each such application shall be reviewed by the state professional standards and practices board for teaching. The board shall in each instance recommend to the commissioner action, as appropriate, including specific reasons when it is negative. Any school district, [~~board of cooperative educational services~~] NY polytechnical institute or consortium whose original application is rejected may resubmit a revised application for further review. Notwithstanding any other provision to the contrary, an application to continue a teacher resource center which was in operation prior to the nineteen hundred eighty-four--nineteen hundred eighty-five school year shall be deemed automatically approved.

5. Any school district, [~~board of cooperative educational services~~] NY polytechnical institute or consortium having an application approved under this section may collaborate, consult and contract with an approved institution of higher education in New York state to carry out activities under or provide technical assistance in connection with such application. Each application shall be reviewed by the professional practices subcommittee of the state professional standards and practices board for teaching.

6. Each teacher resource and computer training center shall be operated by a board, the majority of which shall be composed of elementary and secondary school teachers representative of teachers served by the

1 teacher resource and computer training center. Teacher members shall be
2 designated by the collective bargaining agent of the teachers served by
3 the teacher resource and computer training center. Such board shall also
4 include individuals designated by the school board or [~~board of cooper-~~
5 ~~ative educational services~~] NY polytechnical institute served by such
6 center and at least one representative designated by the institutions of
7 higher education located in the area served by such center. Such board
8 shall also include at least one parent of an elementary or secondary
9 school pupil and at least one representative of a business or industry
10 that uses, produces or is involved with computer equipment and software.

11 7-a. Notwithstanding any other provision of law, a teacher resource
12 and computer training center board may collaborate, consult and contract
13 with a school district or [~~board of cooperative educational services~~] NY
14 polytechnical institute which is included in the application for the
15 establishment of such teacher resource and computer training center for
16 the assignment of teachers employed by such school district or [~~board of~~
17 ~~cooperative educational services~~] NY polytechnical institute; provided,
18 however, in such case such teacher shall continue to accrue all employ-
19 ment rights and benefits, including seniority, with the employing school
20 district or [~~board of cooperative educational services~~] NY polytechnical
21 institute and the teacher resource and computer training center board
22 shall reimburse such school district or [~~board of cooperative educa-~~
23 ~~tional services~~] NY polytechnical institute for the services of such
24 teacher.

25 8. Funds provided each school year to school districts and [~~boards of~~
26 ~~cooperative educational services~~] NY polytechnical institutes by the
27 commissioner to plan, establish and operate teacher resource and comput-
28 er training centers shall not exceed two million dollars per center,
29 except that for the city school district for the city of New York such
30 center shall not exceed sixteen million eight hundred thousand dollars
31 and provided further that each approved center shall receive not less
32 than twenty thousand dollars. In any year in which there is a statewide
33 increase in funding for teacher resource and computer training centers,
34 such increase shall be distributed proportionately among existing
35 centers that have satisfactorily fulfilled the requirements of such
36 centers' current grant. A portion of the increase shall be made avail-
37 able to new applicants to establish new teacher centers, and to current
38 teacher centers to develop and implement regional and statewide teacher
39 center activities.

40 b. The commissioner shall prepare and submit to the governor, the
41 temporary president of the senate and the speaker of the assembly, not
42 later than May first, nineteen hundred ninety-nine and by the first day
43 of January in each year thereafter, a report detailing the financial and
44 programmatic information for teacher resource and computer training
45 centers. Such report shall, at a minimum, set forth with respect to the
46 preceding school year: cost information for individual services provided
47 by such centers; numbers of teachers and other staff served, summarized
48 in the aggregate, by elementary and secondary school levels, and by home
49 school district; lists of programs and courses offered, including iden-
50 tification of those with credit toward college graduate degrees and
51 those which relate to specific academic areas and higher learning stand-
52 ards; and aggregate expenditure data for the following categories:
53 administration, staff development services, rent and other facilities
54 costs, and other services; and such other information as deemed appro-
55 priate by the commissioner to assist the commissioner in identifying
56 cost-effective services and programs which may be successfully repli-

1 cated in other centers, school districts and [~~boards of cooperative~~
2 ~~educational services (BOCES)~~] NY polytechnical institutes. The format
3 for the report shall be developed by the commissioner in consultation
4 with school district officials, and teacher resource center officials,
5 provided that all information in such report shall be displayed on both
6 a statewide and individual center basis. Such report shall include
7 changes from the year prior to the report year for each such item for
8 all teacher resource and computer training centers and shall be made
9 available to other interested parties upon request.

10 § 33. Subparagraph 3-a of paragraph h of subdivision 2 of section 355
11 of the education law, as added by section 1 of part CC of chapter 56 of
12 the laws of 2019, is amended to read as follows:

13 (3-a) Notwithstanding the provisions of any other general, special or
14 local law, rule or regulation, the state university trustees shall be
15 authorized to set a reduced rate of tuition and/or fees, or to waive
16 tuition and/or fees entirely, for students participating in any dual or
17 concurrent enrollment program with no reduction in other state, local,
18 or other support for such students earning college credit that such
19 higher education partner would otherwise be eligible to receive;
20 provided that, for purposes of this provision, a dual or concurrent
21 enrollment program shall mean one or more college courses taken by a
22 high school student through a state-operated institution while such
23 student is still enrolled in high school or [~~boards of cooperative~~
24 ~~educational services~~] NY polytechnical institutes and for which the
25 student may receive both high school and college credit.

26 § 34. Section 405 of the education law, as amended by chapter 171 of
27 the laws of 1996, is amended to read as follows:

28 § 405. Conveyance of property to public corporations. In addition to
29 any other power conferred or possessed by virtue of any provisions of
30 this chapter, the board of education, trustee or trustees of any school
31 district may convey any school site or lot and the buildings thereon and
32 appurtenances or any part thereof, provided that title to any such
33 school property is in such board, trustee or trustees, and when no long-
34 er needed, either without consideration or for such consideration and
35 upon terms and conditions as such board, trustee or trustees may deter-
36 mine to a public corporation, as defined in the general construction
37 law, provided that such real property is to be used by such corporation
38 for the purposes of the corporation or for a public use. In any school
39 district, except a city school district in a city having a population of
40 one hundred twenty-five thousand inhabitants or more, such sale and
41 conveyance shall be submitted to the voters of the district for approval
42 at an annual or special district meeting in the same manner as is now
43 provided by law for the submission of propositions. A [~~board of cooper-~~
44 ~~ative educational services~~] NY polytechnical institute or a board of
45 education, without approval of the voters of the school district and
46 upon such consideration as the institute or board may determine, may
47 convey an easement or right of way over school property for public util-
48 ity services to any municipality, municipal district, authority or
49 public utility. In any city of over one hundred twenty-five thousand
50 population any sale or conveyance shall be subject to approval by the
51 local governing body of such city.

52 § 35. Subdivision 1 of section 409 of the education law, as amended by
53 section 4 of part L of chapter 405 of the laws of 1999, is amended to
54 read as follows:

55 1. All school buildings of common, union free, central, central high
56 school and city school districts other than city school districts of

1 cities having one hundred twenty-five thousand inhabitants or more and
2 [~~boards of cooperative educational services~~] NY polytechnical institutes
3 shall comply with such regulations as the commissioner shall adopt from
4 time to time for the purpose of [~~insuring~~] ensuring the health and safe-
5 ty of pupils and staff in relation to proper heating, lighting, venti-
6 lation, sanitation and health, fire and accident protection.

7 § 36. Subdivision 3 of section 409-d of the education law, as added by
8 section 6 of part L of chapter 405 of the laws of 1999, is amended to
9 read as follows:

10 3. Notification. Notwithstanding any other provision of law to the
11 contrary, the commissioner shall be authorized to notify in writing any
12 school district or [~~board of cooperative educational services~~] NY poly-
13 technical institute the existence of a hazardous condition found in any
14 school building within the school district that is in violation of
15 applicable building, health, or safety codes or regulations that may
16 threaten the health and/or safety of students or staffs. Such notice
17 must be acknowledged and responded to within five business days or less.
18 Such notice shall be delivered to the superintendent of the school
19 district or the district superintendent of the [~~board of cooperative~~
20 educational services] NY polytechnical institute. In the case of a city
21 school district in a city having a population of one million or more
22 inhabitants such notice shall be delivered to the chancellor of the city
23 district.

24 § 37. Subdivision 3 of section 409-e of the education law, as added by
25 section 1 of part B of chapter 56 of the laws of 1998, is amended to
26 read as follows:

27 3. Safety rating system. The commissioner shall develop pursuant to
28 regulations a safety rating system to be used by all school districts
29 and [~~boards of cooperative educational services~~] NY polytechnical insti-
30 tutes keyed to the structural integrity and overall safety of the build-
31 ing and shall be developed using data obtained from the building's annu-
32 al inspection as required by this article. Such safety rating system
33 shall identify and assess the condition of every major system component
34 of every school building including interior structures; building systems
35 such as heating, ventilation, plumbing and electrical systems; exterior
36 structures including but not limited to roofs, masonry, stairs, and
37 chimneys; and develop a system which rates each building component based
38 on at least the following factors: overall safety; structural integrity;
39 probable useful life; need for repair or replacement; and maintenance.
40 Such safety rating shall include mechanisms which facilitate more
41 frequent inspections and repairs as determined necessary to protect the
42 welfare and safety of students and staff residing in such school build-
43 ings. This information shall be used for purposes of developing a build-
44 ings condition survey as required pursuant to section thirty-six hundred
45 forty-one of this chapter and a five year facilities plan as required
46 pursuant to clause (i) of subparagraph two of paragraph (b) of subdivi-
47 sion six of section thirty-six hundred two of this chapter.

48 § 38. Paragraph (a) of subdivision 1 of section 409-h of the education
49 law, as added by chapter 285 of the laws of 2000, is amended to read as
50 follows:

51 (a) "School" shall mean any public school district or private or paro-
52 chial school or [~~board of cooperative educational services~~] NY polytech-
53 nical institute.

54 § 39. Paragraph (a) of subdivision 1 of section 409-i of the education
55 law, as added by chapter 584 of the laws of 2005, is amended to read as
56 follows:

(a) "Elementary or secondary school" means a facility used for instruction of elementary or secondary students by: (i) any school district, including a special act school district and a city school district in a city having a population of one hundred twenty-five thousand inhabitants or more, (ii) a ~~[board of cooperative educational services]~~ NY polytechnical institute, (iii) a charter school, (iv) an approved private school for the education of students with disabilities, (v) a state-supported school for the deaf or blind operated pursuant to article eighty-five of this chapter, and (vi) any other private or parochial elementary or secondary school.

§ 40. Paragraph (a) of subdivision 1 of section 409-k of the education law, as added by chapter 85 of the laws of 2010, is amended to read as follows:

(a) "School" shall mean any public school district or private or parochial school or ~~[board of cooperative educational services]~~ NY polytechnical institute.

§ 41. Section 409-m of the education law, as added by chapter 353 of the laws of 2020, is amended to read as follows:

§ 409-m. Gender neutral single-occupancy bathroom facilities. The board of education or trustees of every school district or, in the case of the city school district of New York, the chancellor, and every ~~[board of cooperative educational services]~~ NY polytechnical institute, charter school and nonpublic school within the state shall develop policies and procedures requiring that all single-occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use. Such gender neutral bathroom facilities shall be clearly designated by the posting of such on or near the entry door of each facility. For purposes of this section, "single-occupancy bathroom" shall have the same meaning as paragraph (d) of subdivision one of section one hundred forty-five of the public buildings law.

§ 42. Paragraph (j) of subdivision 1 of section 414 of the education law, as added by chapter 513 of the laws of 2005 and subparagraph (i) as amended by chapter 672 of the laws of 2019, is amended to read as follows:

(j) For licensed school-based health, dental or mental health clinics. (i) For the purposes of this subdivision, the term "licensed school-based health, dental or mental health clinic" means a clinic that is located in a school facility of a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute, is operated by an entity other than the school district or ~~[board of cooperative educational services]~~ NY polytechnical institute and will provide health, dental or mental health services during school hours and/or non-school hours to school-age and preschool children, and that is: (1) a health clinic approved under the provisions of chapter one hundred ninety-eight of the laws of nineteen hundred seventy-eight; or (2) another school-based health or dental clinic licensed by the department of health pursuant to article twenty-eight of the public health law; or (3) a school-based mental health clinic licensed or approved by the office of mental health pursuant to article thirty-one of the mental hygiene law; or (4) a school-based mental health clinic licensed by the office for people with developmental disabilities pursuant to article sixteen of the mental hygiene law.

(ii) Health professionals who provide services in licensed school-based health, dental or mental health clinics shall be duly licensed pursuant to the provisions of title eight of this chapter unless other-

1 wise exempted by law and shall be authorized to provide such services to
2 the extent permitted by their respective practice acts.

3 (iii) Except where otherwise authorized by law, the cost of providing
4 health, dental or mental health services shall not be a charge upon the
5 school district or [~~board of cooperative educational services~~] NY poly-
6 technical institute, and shall be paid from federal, state or other
7 local funds available for such purpose. Building space used for such a
8 clinic shall be excluded from the rated capacity of the school building
9 for the purpose of computing building aid pursuant to subdivision six of
10 section thirty-six hundred two of this chapter or aid pursuant to subdivi-
11 sion five of section nineteen hundred fifty of this chapter.

12 (iv) Nothing in this paragraph shall be construed to justify a cause
13 of action for damages against a school district or a [~~board of cooper-~~
14 ~~ative educational services~~] NY polytechnical institute by reason of acts
15 of negligence or misconduct by a school-based health, dental or mental
16 health clinic or such clinic's officers or employees.

17 § 43. Subparagraph 1 of paragraph a of subdivision 3 of section 521 of
18 the education law, as added by section 4 of part BB of chapter 57 of the
19 laws of 2013, is amended to read as follows:

20 (1) "participating educational employer" shall mean a school district
21 or [~~board of cooperative educational services~~] NY polytechnical insti-
22 tute which elects to pay the stable contribution amount in the manner
23 provided in this subdivision;

24 § 44. Subdivision 3 of section 803-a of the education law, as added by
25 chapter 658 of the laws of 1994, is amended to read as follows:

26 3. For purposes of developing such courses of study, the board of
27 education or trustees of every school district may establish local advi-
28 sory councils or utilize the school-based shared decision making and
29 planning committee established pursuant to regulations of the commis-
30 sioner to make recommendations concerning the content and implementation
31 of such courses. School districts may alternatively utilize courses of
32 instruction developed by consortia of school district, [~~boards of coop-~~
33 ~~erative educational services~~] NY polytechnical institutes, other school
34 districts or any other agency, public or private. Such advisory councils
35 shall consist of, but not be limited to, parents, school trustees and
36 board members, appropriate school personnel, business and community
37 representatives, and law enforcement personnel having experience in the
38 prevention of child abduction.

39 § 45. Subdivision 1 and the opening paragraph and paragraph d of
40 subdivision 2 of section 804-a of the education law, as added by chapter
41 730 of the laws of 1986, are amended to read as follows:

42 1. Within the amounts appropriated, the commissioner is hereby author-
43 ized to establish a demonstration program and to distribute state funds
44 to local school districts, [~~boards of cooperative educational services~~]
45 NY polytechnical institutes and in certain instances community school
46 districts, for the development, implementation, evaluation, validation,
47 demonstration and replication of exemplary comprehensive health educa-
48 tion programs to assist the public schools in developing curricula,
49 training staff, and addressing local health education needs of students,
50 parents, and staff.

51 School districts or [~~Boces~~] NY polytechnical institutes may contract
52 with appropriate agencies or organizations to participate in such
53 program. Such program shall be limited to health education at the
54 elementary level and shall be designed on a multi-year basis. Such
55 program shall include but not be limited to the following components:

d. Replication of validated health education programs. Grants will be awarded to local school districts or [~~boards of cooperative educational services~~] NY polytechnical institutes for the replication of nationally or state-validated exemplary health education programs.

§ 46. Subdivision 3 of section 902 of the education law, as amended by chapter 477 of the laws of 2004, is amended to read as follows:

3. Health professionals may be employed by the trustees or boards of education of two or more school districts, and the compensation of such health professionals, and the expenses incurred in providing school health services for students as provided in this article, shall be borne jointly by such districts, and be apportioned among them in any manner agreed to by such districts in a sharing agreement entered pursuant to section one hundred nineteen-o of the general municipal law. The trustees or boards of education of two or more school districts in a supervisory district may enter into an agreement, or agreements as may be required, with a [~~board of cooperative educational services~~] NY polytechnical institute for the provision of the services of one or more registered professional nurses, and other health professionals to perform health services, including health instruction in such districts.

§ 47. Section 902-a of the education law, as added by chapter 423 of the laws of 2014, is amended to read as follows:

§ 902-a. Treatment of students diagnosed with diabetes by school personnel. 1. Licensed nurses, nurse practitioners, physician assistants, or physicians employed by school districts or [~~boards of cooperative educational services~~] NY polytechnical institutes are authorized to calculate prescribed insulin dosages, administer prescribed insulin, program the prescribed insulin pump, refill the reservoir in the insulin pump, change the infusion site, inject prescribed glucagon, teach an unlicensed person to administer glucagon to an individual, and perform other authorized services pursuant to the scope of practice of the licensed individual under title VIII of this chapter, to pupils who have received written permission by a physician or other licensed health care provider, and written parental consent to carry and use insulin and glucagon pursuant to section nine hundred sixteen-b of this article, during the school day on school property and at any school function as such terms are defined, respectively, by subdivisions one and two of section eleven of this chapter. Nothing in this section shall authorize unlicensed persons to perform these services except as otherwise permitted by section nine hundred twenty-one of this article.

2. A school district, [~~board of cooperative educational services~~] NY polytechnical institute and/or their agents or employees shall incur no legal or financial liability as a result of any harm or injury sustained by a pupil or other person caused by reasonable and good faith compliance with this section.

§ 48. Subdivision 2 of section 902-b of the education law, as added by chapter 423 of the laws of 2014, is amended to read as follows:

2. A school district, [~~board of cooperative educational services~~] NY polytechnical institute and/or their agents or employees shall incur no legal or financial liability as a result of any harm or injury sustained by a pupil or other person caused by reasonable and good faith compliance with this section.

§ 49. Section 907 of the education law, as added by chapter 242 of the laws of 2013, is amended to read as follows:

§ 907. Use of sunscreen. The board of education or trustees of each school district and [~~board of cooperative educational services~~] NY polytechnical institute, and the governing body of each private elementary,

1 middle and secondary school, shall allow students to carry and use
2 topical sunscreen products approved by the federal Food and Drug Admin-
3 istration for over-the-counter use for the purpose of avoiding overexpo-
4 sure to the sun and not for medical treatment of an injury or illness,
5 with the written permission of the parent or guardian of the student. A
6 record of such permission shall be maintained by the school. A student
7 who is unable to physically apply sunscreen may be assisted by unli-
8 censed personnel when directed to do so by the student, if permitted by
9 a parent or guardian and authorized by the school.

10 § 50. Section 913 of the education law, as amended by chapter 477 of
11 the laws of 2004, is amended to read as follows:

12 § 913. Medical examinations of teachers and other employees. In order
13 to safeguard the health of children attending the public schools, the
14 board of education or trustees of any school district or a [~~board of~~
15 ~~cooperative educational services~~] NY polytechnical institute shall be
16 empowered to require any person employed by the board of education or
17 trustees or [~~board of cooperative educational services~~] NY polytechnical
18 institute to submit to a medical examination by a physician or other
19 health care provider of [~~his or her~~] their choice or the director of
20 school health services of the board of education or trustees or [~~board~~
21 ~~of cooperative educational services~~] NY polytechnical institute, in
22 order to determine the physical or mental capacity of such person to
23 perform [~~his or her~~] their duties. The person required to submit to
24 such medical examination shall be entitled to be accompanied by a physi-
25 cian or other person of [~~his or her~~] their choice. The determination
26 based upon such examination as to the physical or mental capacity of
27 such person to perform [~~his or her~~] their duties shall be reported to
28 the board of education or trustees or [~~board of cooperative educational~~
29 ~~services~~] NY polytechnical institute and may be referred to and consid-
30 ered for the evaluation of service of the person examined or for disa-
31 bility retirement.

32 § 51. Section 916 of the education law, as amended by chapter 423 of
33 the laws of 2014, is amended to read as follows:

34 § 916. Pupils with asthma or another respiratory disease requiring
35 rescue inhaler treatment. 1. The board of education or trustees of each
36 school district and [~~board of cooperative educational services~~] NY poly-
37 technical institute shall allow pupils who have been diagnosed by a
38 physician or other duly authorized health care provider with an asthmatic
39 condition or another respiratory disease to carry and use a
40 prescribed inhaler and self-administer inhaled rescue medications to
41 alleviate respiratory symptoms or to prevent the onset of exercise
42 induced asthmatic symptoms during the school day on school property and
43 at any school function as such terms are defined, respectively, by
44 subdivisions one and two of section eleven of this chapter, with the
45 written permission of a physician or other duly authorized health care
46 provider, and written parental consent. The written permission shall
47 include an attestation by the physician or the health care provider
48 confirming the following: (a) the pupil is diagnosed with asthma or
49 another respiratory disease for which inhaled rescue medications are
50 prescribed to alleviate respiratory symptoms or to prevent the onset of
51 exercise induced asthmatic symptoms; and (b) that the pupil has demon-
52 strated that [~~he or she~~] they can self-administer the prescribed inhaled
53 rescue medication effectively. The written permission shall also
54 include the name of the prescribed inhaled rescue medication, the dose,
55 the times when the medication is to be taken, the circumstances which
56 may warrant the use of the medication and the length of time for which

1 the inhaler is prescribed. A record of such consent and permission shall
2 be maintained in the student's cumulative health record. In addition,
3 upon the written request of a parent or person in parental relation, the
4 board of education or trustees of a school district and [~~board of coop-~~
5 ~~erative educational services~~] NY polytechnical institute shall allow
6 such pupils to maintain an extra such inhaler in the care and custody of
7 a licensed nurse, nurse practitioner, physician assistant, or physician
8 employed by such district or [~~board of cooperative educational services~~]
9 NY polytechnical institute, and shall be readily accessible to such
10 pupil. Nothing in this section shall require a school district or [~~board~~
11 ~~of cooperative educational services~~] NY polytechnical institute to
12 retain a licensed nurse, nurse practitioner, physician assistant, or
13 physician solely for the purpose of taking custody of a spare inhaler
14 for the treatment of asthma or a respiratory disease requiring rescue
15 medication treatment, or require that a licensed nurse, nurse practi-
16 tioner, physician assistant, or physician be available at all times in a
17 school building for the purpose of taking custody of the inhaler. In
18 addition, the medication provided by the pupil's parents or persons in
19 parental relation shall be made available to the pupil as needed in
20 accordance with the school district's or [~~board of cooperative educa-~~
21 ~~tional services~~'] NY polytechnical institute's policy and the orders
22 prescribed in the written permission of the physician or other author-
23 ized health care provider.

24 2. A school district, [~~board of cooperative educational services~~] NY
25 polytechnical institute and/or their agents or employees shall incur no
26 legal or financial liability as a result of any harm or injury sustained
27 by a pupil or other person caused by reasonable and good faith compli-
28 ance with this section.

29 § 52. Section 916-a of the education law, as added by chapter 423 of
30 the laws of 2014, is amended to read as follows:

31 § 916-a. Pupils with allergies. 1. The board of education or trustees
32 of each school district and [~~board of cooperative educational services~~]
33 NY polytechnical institute shall allow pupils who have been diagnosed by
34 a physician or other duly authorized health care provider with an aller-
35 gy to carry and use a prescribed epinephrine auto injector for the emer-
36 gency treatment of allergic reactions during the school day on school
37 property and at any school function as such terms are defined, respec-
38 tively, by subdivisions one and two of section eleven of this chapter,
39 with the written permission of a physician or other duly authorized
40 health provider, and written parental consent. The written permission
41 shall include an attestation by the physician or the health care provid-
42 er confirming the following: (a) the pupil's diagnosis of an allergy for
43 which an epinephrine auto injector is needed; and (b) that the pupil has
44 demonstrated that [~~he or she~~] they can self-administer the prescribed
45 epinephrine auto injector effectively. The written permission shall also
46 include the circumstances which may warrant the use of the epinephrine
47 auto injector. A record of such consent and permission shall be main-
48 tained in the student's cumulative health record. In addition, upon the
49 written request of a parent or person in parental relation, the board of
50 education or trustees of a school district and [~~board of cooperative~~
51 ~~educational services~~] NY polytechnical institute shall allow such pupils
52 to maintain an extra epinephrine auto injector for the emergency treat-
53 ment of allergies in the care and custody of licensed nurse, nurse prac-
54 tioner, physician assistant, or physician employed by such district or
55 [~~board of cooperative educational services~~] NY polytechnical institute,
56 and shall be readily accessible to such pupil. Nothing in this section

1 shall require a school district or [~~board of cooperative educational~~
2 ~~services~~] NY polytechnical institute to retain a licensed nurse, nurse
3 practitioner, physician assistant, or physician solely for the purpose
4 of taking custody of a spare epinephrine auto injector for the emergency
5 treatment of allergic reactions, or require that a licensed nurse, nurse
6 practitioner, physician assistant, or physician be available at all
7 times in a school building for taking custody of the epinephrine auto
8 injector. In addition, the epinephrine auto injector provided by the
9 pupil's parents or persons in parental relation will be made available
10 to the pupil as needed in accordance with the school district's or
11 [~~board of cooperative educational services~~] NY polytechnical insti-
12 tute's policy and the orders prescribed in the written permission of the
13 physician or other authorized health care provider.

14 2. A school district, [~~board of cooperative educational services~~] NY
15 polytechnical institute and/or their agents or employees shall incur no
16 legal or financial liability as a result of any harm or injury sustained
17 by a pupil or other person caused by reasonable and good faith compli-
18 ance with this section.

19 § 53. Section 916-b of the education law, as added by chapter 423 of
20 the laws of 2014, is amended to read as follows:

21 § 916-b. Pupils with diabetes. 1. The board of education or trustees
22 of each school district and [~~board of cooperative educational services~~]
23 NY polytechnical institute shall allow pupils who have been diagnosed
24 with diabetes to carry glucagon and carry and use insulin through appro-
25 priate medication delivery devices and equipment and/or to carry and use
26 equipment and supplies necessary to check blood glucose levels and
27 ketone levels, as prescribed by a physician or other duly authorized
28 healthcare provider, during the school day on school property and at any
29 school function as such terms are defined, respectively, by subdivisions
30 one and two of section eleven of this chapter, with parental consent and
31 the written permission of a physician or other duly authorized health
32 care provider. The written permission shall include an attestation by
33 the physician or the health care provider confirming the following: (a)
34 the pupil's diagnosis of diabetes makes the delivery of insulin and
35 glucagon through appropriate medication delivery devices during the
36 school day on school property or at any school function necessary and/or
37 makes the use of equipment and supplies to check blood glucose levels
38 and ketone levels necessary; and (b) that the pupil has demonstrated
39 that [~~he or she~~] they can self-administer the prescribed insulin effec-
40 tively and can self check glucose or ketone levels and can independently
41 follow the treatment orders prescribed by the physician or other author-
42 ized health care provider in the written permission. The written permis-
43 sion shall identify prescribed blood glucose tests, ketone tests, insu-
44 lin and glucagon to be used by the pupil at school and/or during school
45 functions. If insulin or glucagon is prescribed, the written permission
46 shall include the name of the type of insulin, the dose or dose range,
47 the times when the medication is to be taken, the type of insulin deliv-
48 ery system and any other information prescribed by the commissioner in
49 regulation, after consultation with the commissioner of health. A record
50 of such consent and permission shall be maintained in the student's
51 cumulative health record. In addition, upon the written request of a
52 parent or person in parental relation, the board of education or trus-
53 tees of a school district and [~~board of cooperative educational~~
54 ~~services~~] NY polytechnical institute shall allow such pupils to maintain
55 extra insulin and an insulin delivery system, glucagon, blood glucose
56 meters and related supplies used to treat such pupil's diabetes in the

1 care and custody of a licensed nurse, nurse practitioner, physician
2 assistant, or physician employed by such district or [~~board of cooper-~~
3 ~~ative educational services~~] NY polytechnical institute, and shall be
4 readily accessible to such pupil. Nothing in this section shall require
5 a school district or [~~board of cooperative educational services~~] NY
6 polytechnical institute to retain a licensed nurse, nurse practitioner,
7 physician assistant, or physician solely for the purpose of taking
8 custody of extra insulin and an insulin delivery system, glucagon, blood
9 glucose meters and related supplies used to treat such pupil's diabetes,
10 or require that a licensed nurse, nurse practitioner, physician assist-
11 ant, or physician be available at all times in a school building for the
12 purpose of taking custody of extra insulin and an insulin delivery
13 system, glucagon, blood glucose meters and related supplies. In addi-
14 tion, the medication and devices, equipment and supplies provided by the
15 pupil's parents or persons in parental relation shall be made available
16 to the pupil as needed in accordance with the school district's or
17 [~~board of cooperative educational services~~] NY polytechnical insti-
18 tute's policy and the orders prescribed in the written permission of the
19 physician or other authorized health care provider. Pupils with diabetes
20 may also carry any food necessary to treat hypoglycemia pursuant to the
21 school district policy, provided, however, such school district policy
22 shall not unreasonably interfere with a pupil's ability to treat hypo-
23 glycemia.

24 2. A school district, [~~board of cooperative educational services~~] NY
25 polytechnical institute and/or their agents or employees shall incur no
26 legal or financial liability as a result of any harm or injury sustained
27 by a pupil or other person caused by reasonable and good faith compli-
28 ance with this section.

29 § 54. Subdivision 1 of section 917 of the education law, as amended by
30 chapter 61 of the laws of 2002, is amended to read as follows:

31 1. School districts, [~~boards of cooperative educational services~~] NY
32 polytechnical institutes, county vocational education and extension
33 boards and charter schools shall provide and maintain on-site in each
34 instructional school facility automated external defibrillator (AED)
35 equipment, as defined in paragraph (a) of subdivision one of section
36 three thousand-b of the public health law, in quantities and types
37 deemed by the commissioner in consultation with the commissioner of
38 health to be adequate to ensure ready and appropriate access for use
39 during emergencies.

40 § 55. Section 919 of the education law, as amended by chapter 42 of
41 the laws of 2008, is amended to read as follows:

42 § 919. On-site nebulizers. 1. The board of education or trustees of
43 the school district responsible for providing health services in a
44 school, or the [~~board of cooperative educational services~~] NY polytech-
45 nical institute in the case of programs under its jurisdiction, shall
46 make a nebulizer available on-site in every public and private school
47 building in which full or part time nurse services are provided. Nebu-
48 lizers in such school buildings shall be made available to allow reason-
49 able access to all public and private school students with a patient
50 specific order, who require inhaled medications administered by a nebu-
51 lizer, provided, however, that nebulizers shall be administered by a
52 school nurse or physician pursuant to the student's patient specific
53 order. Every nebulizer shall be maintained in working order by the
54 school district or [~~board of cooperative educational services~~] NY poly-
55 technical institute that provides school health services to the school
56 building where the nebulizer is located.

2. The commissioner shall be authorized to promulgate regulations for the implementation of this section.

§ 56. Section 921 of the education law, as added by chapter 423 of the laws of 2014 and subdivision 1 as amended by chapter 339 of the laws of 2021, is amended to read as follows:

§ 921. Training of unlicensed school personnel to administer certain medications. 1. The board of education or trustees of each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute and nonpublic schools are authorized, but not obligated to have licensed registered professional nurses, nurse practitioners, physician assistants, and physicians train unlicensed school personnel to administer prescribed glucagon or epinephrine auto injectors in emergency situations, where an appropriately licensed health professional is not available, to pupils who have the written permission of a physician or other duly authorized health care provider for the administration of glucagon or emergency epinephrine auto injector, along with written parental consent, during the school day on school property and at any school function as such terms are defined, respectively, by subdivisions one and two of section eleven of this chapter. Training must be provided by a physician or other duly authorized licensed health care professional in a competent manner and must be completed in a form and manner prescribed by the commissioner in regulation.

2. A school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, nonpublic schools and/or their agents or employees shall incur no legal or financial liability as a result of any harm or injury sustained by a pupil or other person caused by reasonable and good faith compliance with this section.

§ 57. Section 921-a of the education law, as amended by chapter 200 of the laws of 2017, and subdivision 3 as added by chapter 422 of the laws of 2023, is amended to read as follows:

§ 921-a. On-site epinephrine auto-injector. 1. School districts, ~~[boards of cooperative educational services]~~ NY polytechnical institutes, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state may provide and maintain on-site in each instructional school facility epinephrine auto-injectors in quantities and types deemed by the commissioner, in consultation with the commissioner of health, to be adequate to ensure ready and appropriate access for use during emergencies to any student or staff having anaphylactic symptoms whether or not there is a previous history of severe allergic reaction.

2. School districts, ~~[boards of cooperative educational services]~~ NY polytechnical institutes, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state, any person employed by any such entity, or employed by a contractor of such an entity while performing services for the entity may administer epinephrine auto-injectors in the event of an emergency pursuant to the requirements of section three thousand-c of the public health law.

3. School districts, ~~[boards of cooperative educational services]~~ NY polytechnical institutes, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state that are authorized to provide and maintain epinephrine auto-injectors on-site pursuant to this section shall provide all teachers with written informational material on the use of an epinephrine auto-injector that has been created and approved by the commissioner of health.

§ 58. Section 922 of the education law, as amended by chapter 68 of the laws of 2016, is amended to read as follows:

§ 922. Opioid overdose prevention. 1. School districts, public libraries, ~~[boards of cooperative educational services]~~ NY polytechnical institutes, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state may provide and maintain on-site in each instructional school facility or library, opioid antagonists, as defined in section three thousand three hundred nine of the public health law, in quantities and types deemed by the commissioner, in consultation with the commissioner of health, to be adequate to ensure ready and appropriate access for use during emergencies to any student, individual on library premises or staff suspected of having opioid overdose whether or not there is a previous history of opioid abuse.

2. School districts, public libraries, ~~[boards of cooperative educational services]~~ NY polytechnical institutes, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools in this state may elect to participate as an opioid antagonist recipient and any person employed by any such entity that has elected to participate may administer an opioid antagonist in the event of an emergency, provided that such person shall have been trained by a program approved under section three thousand three hundred nine of the public health law. Any school district, public library, ~~[board of cooperative educational services]~~ NY polytechnical institute, county vocational education and extension board, charter school, and non-public elementary and secondary school that has employees trained in accordance with this section shall comply with the requirements of section three thousand three hundred nine of the public health law including, but not limited to, appropriate clinical oversight, record keeping and reporting. No person shall be required to participate in the program and any participation by an individual shall be voluntary.

§ 59. Subdivision a of section 924 of the education law, as added by chapter 533 of the laws of 2022, is amended to read as follows:

a. All contracts entered into for the two thousand twenty-three--two thousand twenty-four school year, and thereafter, to provide, maintain and operate cafeteria or restaurant service by a private food service management company shall include provisions requiring such private food service management company to disclose ingredients lists and nutritional information to school districts for all meals that such company provides. The private food service management company shall be required to consolidate nutritional information for any meal that is comprised of separate individual ingredients. School districts and ~~[boards of cooperative educational services]~~ NY polytechnical institutes shall have no responsibility to provide nutritional information except pursuant to subdivision b of this section.

§ 60. Subdivision 10 of section 1125 of the education law, as added by chapter 363 of the laws of 2018, is amended to read as follows:

10. "School" shall include a school district, public school, charter school, nonpublic school, ~~[board of cooperative educational services]~~ NY polytechnical institute, special act school district as defined in section four thousand one of this chapter, approved preschool special education program pursuant to section forty-four hundred ten of this chapter, approved private residential or non-residential school for the education of students with disabilities including private schools established under chapter eight hundred fifty-three of the laws of nineteen hundred seventy-six, or state-operated or state-supported school in

1 accordance with article eighty-five, eighty-seven or eighty-eight of
2 this chapter.

3 § 61. Subdivision 2 of section 1202 of the education law, as amended
4 by chapter 616 of the laws of 2008, is amended to read as follows:

5 2. Rural areas account for more than half of the school systems,
6 [~~boards of cooperative education services~~] NY polytechnical institutes
7 and colleges in the state;

8 § 62. Subdivision 1 of section 1504 of the education law, as amended
9 by chapter 390 of the laws of 1997, is amended to read as follows:

10 1. A district superintendent may organize a new school district out of
11 the territory of one or more school districts which are wholly within
12 the geographic area served by [~~his board of cooperative educational~~
13 ~~services~~] their NY polytechnical institute, whenever the educational
14 interests of the community require it. If there is an outstanding bonded
15 indebtedness chargeable against the district or districts out of the
16 territory of which such new district is organized, the district super-
17 intendent shall apportion said indebtedness between such new district
18 and the remaining portion of the district or districts out of which such
19 new district is organized, according to the assessed valuation thereof,
20 and the portion of the indebtedness so apportioned shall become a charge
21 for principal and interest upon the respective districts as though the
22 same had been incurred by said districts separately.

23 § 63. Subdivisions 21-a, 21-b and 31-b of section 1604 of the educa-
24 tion law, subdivision 21-a as amended by section 6 of subpart A of part
25 B of chapter 56 of the laws of 2022, subdivision 21-b as added by
26 section 22 of subpart F of part C of chapter 97 of the laws of 2011, and
27 subdivision 31-b as added by chapter 525 of the laws of 1986, are
28 amended to read as follows:

29 21-a. To lease a motor vehicle or vehicles to be used for the trans-
30 portation of the children of the district from a school district, [~~board~~
31 ~~of cooperative educational services~~] NY polytechnical institute or coun-
32 ty vocational education and extension board or from any other source,
33 under the conditions specified in this subdivision. No such agreement
34 for the lease of a motor vehicle or vehicles shall be for a term of more
35 than one school year, provided that when authorized by a vote of the
36 qualified voters of the district such lease may have a term of up to
37 five years, or twelve years for the lease of zero-emission school buses
38 as defined in section thirty-six hundred thirty-eight of this chapter.
39 Where the trustee or board of trustees enter into a lease of a motor
40 vehicle or vehicles pursuant to this subdivision for a term of one
41 school year or less, such trustee or board shall not be authorized to
42 enter into another lease for the same or an equivalent replacement vehi-
43 cle or vehicles, as determined by the commissioner, without obtaining
44 approval of the qualified voters of the school district.

45 21-b. a. The trustees are authorized to provide regional transporta-
46 tion services by rendering such services jointly with other school
47 districts or [~~boards of cooperative educational services~~] NY polytechni-
48 cal institutes. Such services may include pupil transportation between
49 home and school, transportation during the day to and from school and a
50 special education program or service or a program at a [~~board of cooper-~~
51 ~~ative educational services~~] NY polytechnical institute or an approved
52 shared program at another school district, transportation for field
53 trips or to and from extracurricular activities, and cooperative school
54 bus maintenance.

55 b. The trustees are authorized to enter into a contract with another
56 school district, a county, municipality, or the state office of children

1 and family services to provide transportation for children, including
2 contracts to provide such transportation as regional transportation
3 services, provided that the contract cost is appropriate. In determining
4 the appropriate transportation contract cost, the transportation service
5 provider school district shall use a calculation consistent with regu-
6 lations adopted by the commissioner for the purpose of assuring that
7 charges reflect the true costs that would be incurred by a prudent
8 person in the conduct of a competitive transportation business.

9 31-b. In their discretion, to purchase insurance against personal
10 injuries incurred by an authorized participant in a school volunteer
11 program, including but not limited to, those authorized participants who
12 assist on school buses, school sponsored transportation to and from
13 school, or on school sponsored field trips or any other school sponsored
14 activity; provided, however, that the injuries were incurred while the
15 authorized participant was functioning either within the scope of [~~his~~
16 ~~or her~~] their authorized volunteer duties or under the direction of the
17 board of education, trustee, or [~~board of cooperative educational~~
18 ~~services~~] NY polytechnical institute, or both.

19 § 63-a. Subdivision 21-a of section 1604 of the education law, as
20 amended by chapter 563 of the laws of 2024, is amended to read as
21 follows:

22 21-a. To lease a motor vehicle or vehicles to be used for the trans-
23 portation of the children of the district from a school district, [~~board~~
24 ~~of cooperative educational services~~] NY polytechnical institute or coun-
25 ty vocational education and extension board or from any other source,
26 under the conditions specified in this subdivision. No such agreement
27 for the lease of a motor vehicle or vehicles shall be for a term of more
28 than one school year, provided that when authorized by a vote of the
29 qualified voters of the district such lease may have a term of up to
30 five years, or eight years for the lease of zero-emission school buses
31 as defined in section thirty-six hundred thirty-eight of this chapter.
32 Where the trustee or board of trustees enter into a lease of a motor
33 vehicle or vehicles pursuant to this subdivision for a term of one
34 school year or less, such trustee or board shall not be authorized to
35 enter into another lease for the same or an equivalent replacement vehi-
36 cle or vehicles, as determined by the commissioner, without obtaining
37 approval of the qualified voters of the school district.

38 § 64. Subdivision 1 of section 1608 of the education law, as amended
39 by section 5 of part A of chapter 436 of the laws of 1997, is amended to
40 read as follows:

41 1. It shall be the duty of the trustees of each common school district
42 to present at the annual budget hearing a detailed statement in writing
43 of the amount of money which will be required for the ensuing year for
44 school purposes, specifying the several purposes and the amount for
45 each. The amount for each purpose estimated necessary for payments to
46 [~~boards of cooperative educational services~~] NY polytechnical institutes
47 shall be shown in full, with no deduction of estimated state aid. The
48 amount of state aid provided and its percentage relationship to the
49 total expenditures shall also be shown. This section shall not be
50 construed to prevent the trustees from presenting such statement at a
51 budget hearing held not less than seven nor more than fourteen days
52 prior to a special meeting called for the purpose, nor from presenting a
53 supplementary and amended statement or estimate at any time.

54 § 65. Paragraphs b, d, e, g, and i of subdivision 25 and subdivision
55 34-b of section 1709 of the education law, paragraphs d and e of subdi-
56 vision 25 as amended by chapter 230 of the laws of 1968, paragraph b of

subdivision 25 as amended by chapter 742 of the laws of 1975, paragraph g of subdivision 25 as amended by section 23 of subpart F of part C of chapter 97 of the laws of 2011, paragraph i of subdivision 25 as amended by section 7 of subpart A of part B of chapter 56 of the laws of 2022, and subdivision 34-b as added by chapter 525 of the laws of 1986, are amended to read as follows:

b. Such motor vehicle or vehicles may be leased to another school district or to a [~~board of cooperative educational services~~] NY polytechnical institute or to a county vocational education and extension board or to an Indian tribe for educational purposes when not needed for such transportation.

d. The board of education may lease such motor vehicle or vehicles from a [~~board of cooperative educational services~~] NY polytechnical institute or from a county vocational education and extension board.

e. Under emergency conditions, as determined by the commissioner, the board of education may lease such vehicle or vehicles from sources other than a school district, [~~board of cooperative educational services~~] NY polytechnical institute or county vocational education and extension board.

g. The board of education is authorized to provide regional transportation services by rendering such services jointly with other school districts or [~~boards of cooperative educational services~~] NY polytechnical institutes. Such services may include pupil transportation between home and school, transportation during the day to and from school and a special education program or service or a program at a [~~board of cooperative educational services~~] NY polytechnical institute or an approved shared program at another school district, transportation for field trips or to and from extracurricular activities, and cooperative school bus maintenance.

i. In addition to the authority granted in paragraph e of this subdivision, the board of education shall be authorized to lease a motor vehicle or vehicles to be used for the transportation of the children of the district from sources other than a school district, [~~board of cooperative educational services~~] NY polytechnical institute or county vocational education and extension board under the conditions specified in this paragraph. No such agreement for the lease of a motor vehicle or vehicles shall be for a term of more than one school year, provided that when authorized by a vote of the qualified voters of the district such lease may have a term of up to five years, or twelve years for the lease of zero-emission school buses as defined in section thirty-six hundred thirty-eight of this chapter. Where the board of education enters a lease of a motor vehicle or vehicles pursuant to this paragraph for a term of one school year or less, such board shall not be authorized to enter into another lease of the same or an equivalent replacement vehicle or vehicles, as determined by the commissioner, without obtaining approval of the voters.

34-b. In its discretion, to purchase insurance against personal injuries incurred by an authorized participant in a school volunteer program, including but not limited to, those authorized participants who assist on school buses, school sponsored transportation to and from school, or on school sponsored field trips or any other school sponsored activity; provided, however, that the injuries were incurred while the authorized participant was functioning either within the scope of [~~his or her~~] their authorized volunteer duties or under the direction of the board of education, trustee, or [~~board of cooperative educational services~~] NY polytechnical institute, or both.

§ 65-a. Paragraph i of subdivision 25 of section 1709 of the education law, as amended by chapter 563 of the laws of 2024, is amended to read as follows:

i. In addition to the authority granted in paragraph e of this subdivision, the board of education shall be authorized to lease a motor vehicle or vehicles to be used for the transportation of the children of the district from sources other than a school district, [~~board of cooperative educational services~~] polytechnical institute or county vocational education and extension board under the conditions specified in this paragraph. No such agreement for the lease of a motor vehicle or vehicles shall be for a term of more than one school year, provided that when authorized by a vote of the qualified voters of the district such lease may have a term of up to five years, or twelve years for the lease of zero-emission school buses as defined in section thirty-six hundred thirty-eight of this chapter. Where the board of education enters a lease of a motor vehicle or vehicles pursuant to this paragraph for a term of one school year or less, such board shall not be authorized to enter into another lease of the same or an equivalent replacement vehicle or vehicles, as determined by the commissioner, without obtaining approval of the voters.

§ 66. Subdivision 1 of section 1716 of the education law, as amended by section 7 of part A of chapter 436 of the laws of 1997, is amended to read as follows:

1. It shall be the duty of the board of education of each district to present at the annual budget hearing a detailed statement in writing of the amount of money which will be required for the ensuing year for school purposes, specifying the several purposes and the amount for each. The amount for each purpose estimated necessary for payments to [~~boards of cooperative educational services~~] NY polytechnical institutes shall be shown in full, with no deduction of estimated state aid. The amount of state aid provided and its percentage relationship to the total expenditures shall also be shown. This section shall not be construed to prevent the board from presenting such statement at a budget hearing held not less than seven nor more than fourteen days prior to a special meeting called for the purpose, nor from presenting a supplementary and amended statement or estimate at any time.

§ 67. Subdivisions 1 and 2 of section 1980 of the education law, as added by chapter 785 of the laws of 1992, are amended to read as follows:

1. The term "board of education" shall mean the trustee, trustees or board of education of any common, union free, central, central high or city school district, or a [~~board of cooperative educational services~~] NY polytechnical institute.

2. The term "school district" shall mean any common, union free, central, central high or city school district, or a [~~board of cooperative educational services~~] NY polytechnical institute.

§ 68. Paragraph c of subdivision 2 of section 2023-a of the education law, as amended by section 1 of subpart C of part C of chapter 20 of the laws of 2015, is amended to read as follows:

c. "Capital local expenditures" means the taxes associated with budgeted expenditures resulting from the financing, refinancing, acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of, or otherwise providing for school district capital facilities or school district capital equipment, including debt service and lease expenditures, and transportation capital debt service, subject to the approval of the qualified voters where required by law.

1 The commissioner of taxation and finance shall, as appropriate, promul-
2 gate rules and regulations which may provide for adjustment of capital
3 local expenditures to reflect a school district's share of additional
4 budgeted capital expenditures made by a [~~board of cooperative educa-~~
5 ~~tional services~~] NY polytechnical institute.

6 § 69. Section 2050 of the education law, as added by chapter 640 of
7 the laws of 2008, is amended to read as follows:

8 § 2050. Definition. As used in this part, a "lawyer" shall mean an
9 attorney or counselor governed by article fifteen of the judiciary law,
10 who receives remuneration or other compensation from a school district
11 or [~~board of cooperative educational services~~] NY polytechnical insti-
12 tute in exchange for legal services provided to such district or [~~board~~]
13 institute.

14 § 70. Section 2051 of the education law, as added by chapter 640 of
15 the laws of 2008, is amended to read as follows:

16 § 2051. Charging for professional services. 1. A lawyer shall not
17 simultaneously be an independent contractor and an employee of a school
18 district or [~~board of cooperative educational services~~] NY polytechnical
19 institute for the purpose of providing legal services to such school
20 district or [~~board of cooperative educational services~~] NY polytechnical
21 institute.

22 2. A lawyer who is not an employee of a school district or [~~board of~~
23 ~~cooperative educational services~~] NY polytechnical institute, shall not
24 seek to be or be considered, treated or otherwise reported by the school
25 district, or [~~board of cooperative educational services~~] NY polytechni-
26 cal institute as an employee thereof for purposes of compensation,
27 remuneration, health insurance, pension and all employment-related bene-
28 fits and emoluments associated therewith.

29 § 71. Subdivision 1 of section 2052 of the education law, as added by
30 chapter 640 of the laws of 2008, is amended to read as follows:

31 1. Any lawyer who violates section two thousand fifty-one of this
32 part, shall be liable for a civil penalty not to exceed three times the
33 charges and fees for contracted services or salary received by the
34 lawyer and paid by such school district or [~~board of cooperative educa-~~
35 ~~tional services~~] NY polytechnical institute for legal services, and in
36 addition, may be enjoined from continuing such violation. Civil penal-
37 ties and injunctive relief provided in this section shall be recoverable
38 in an action brought by the attorney general.

39 § 72. Section 2053 of the education law, as added by chapter 640 of
40 the laws of 2008, is amended to read as follows:

41 § 2053. Reports regarding lawyers. Every school district and [~~board of~~
42 ~~cooperative educational services~~] NY polytechnical institute shall, on
43 or before the forty-fifth day after the commencement of its fiscal year,
44 file with the department, the comptroller and the attorney general a
45 report specifying: (a) all lawyers who provide legal services to such
46 district or [~~board~~] institute; (b) whether such district or [~~board~~]
47 institute hired such lawyers as employees; and (c) all remuneration and
48 compensation paid for legal services.

49 § 73. Subdivisions 1 and 2 of section 2102-a of the education law, as
50 amended by chapter 388 of the laws of 2010, are amended to read as
51 follows:

52 1. a. Every trustee or voting member of a board of education of a
53 school district or a [~~board of cooperative educational services~~] NY
54 polytechnical institute, elected or appointed for a term beginning on or
55 after July first, two thousand five, shall, within the first year of
56 [~~his or her~~] their term, complete a minimum of six hours of training on

1 the financial oversight, accountability and fiduciary responsibilities
2 of a school board member.

3 b. In addition to the training required by paragraph a of this subdivi-
4 vision, every trustee or voting member of a board of education of a
5 school district or a [~~board of cooperative educational services~~] NY
6 polytechnical institute, elected or appointed for a first term beginning
7 on or after the first of July next succeeding the effective date of this
8 paragraph, shall, within the first year of [~~his or her~~] their term,
9 complete a training course to acquaint [~~him or her~~] them with the
10 powers, functions and duties of boards of education, as well as the
11 powers and duties of other governing and administrative authorities
12 affecting public education.

13 c. Upon demonstration of compliance, no trustee or member of a board
14 of education or a [~~board of cooperative educational services~~] NY poly-
15 technical institute shall be required to repeat the training require-
16 ments provided for in paragraphs a and b of this subdivision. Nothing in
17 this section shall be deemed to require a member of a central high
18 school district board or a member of a [~~board of cooperative educational~~
19 ~~services~~] NY polytechnical institute to complete such requirements if
20 such member has already completed such requirements as a member of a
21 board of a component school district. Nothing in this section shall be
22 deemed to require trustees or voting members of a board of education of
23 a school district or a [~~board of cooperative educational services~~] NY
24 polytechnical institute to complete the requirements of paragraph b of
25 this subdivision if such trustee or member is seated or appointed on or
26 before the effective date of [~~the~~] chapter three hundred eighty-eight of
27 the laws of two thousand ten [~~that amended this subdivision~~].

28 2. The curriculum used for training on financial oversight, account-
29 ability and fiduciary responsibilities shall be approved by the commis-
30 sioner in consultation with the comptroller and the curriculum used for
31 the general training shall be approved by the commissioner. These
32 curricula may be offered together as a single course or separately. The
33 training required by this section may be offered by providers approved
34 by the commissioner. In approving other providers for these trainings,
35 the commissioner shall consider the potential provider's understanding
36 of the educational environment, the roles of trustees and boards of
37 education and [~~boards of cooperative educational services~~] NY polytech-
38 nical institutes, and the experience of the provider in delivering such
39 training.

40 § 74. Subdivision 3-a of section 2116-a of the education law, as added
41 by chapter 267 of the laws of 2005, is amended to read as follows:

42 3-a. In addition to the annual audit required by subdivision three of
43 this section, each school district and [~~board of cooperative educational~~
44 ~~services~~] NY polytechnical institute within the state shall be subject
45 to audits of the state conducted by the comptroller as set forth in
46 section thirty-three of the general municipal law.

47 § 75. Subdivisions 1 and 2 of section 2204 of the education law, as
48 amended by chapter 657 of the laws of 1971, are amended to read as
49 follows:

50 1. The [~~board of cooperative educational services~~] NY polytechnical
51 institute of a supervisory district shall meet upon the direction of the
52 commissioner of education, at a time and place designated by the commis-
53 sioner, for the purpose of appointing a district superintendent of
54 schools whenever a vacancy in such office shall occur, unless the
55 commissioner shall issue an order pursuant to section twenty-two hundred
56 one of this article redistricting the county so as to provide for a

1 lesser number of supervisory districts. Such direction shall be filed by
2 the commissioner of education in the office of the clerk of the [~~board~~
3 ~~of cooperative educational services~~] NY polytechnical institute and the
4 commissioner shall also mail a notice of the time and place of such
5 meeting to each member of the [~~board of cooperative educational~~
6 ~~services~~] NY polytechnical institute of the district. If such vacancy
7 shall not be filled at such meeting, such meeting may be adjourned to a
8 subsequent date, and the commissioner may appoint a district superinten-
9 dent of schools who shall serve until the [~~board of cooperative educa-~~
10 ~~tional services~~] NY polytechnical institute shall fill such vacancy.

11 2. In the appointment of such district superintendent the vote shall
12 be by ballot and the person receiving a majority of all votes cast shall
13 be appointed subject to the approval of the commissioner of education.
14 Each member of the [~~board of cooperative educational services~~] NY poly-
15 technical institute shall be entitled to one vote in such appointment.

16 § 76. Subdivision 3 of section 2208 of the education law, as amended
17 by chapter 583 of the laws of 1955, is amended to read as follows:

18 3. [~~His~~] Their filing in the offices of the commissioner of education
19 and of the clerk of the [~~board of cooperative educational services his~~]
20 NY polytechnical institute their written resignation.

21 § 77. Section 2212 of the education law, as amended by chapter 474 of
22 the laws of 1996, is amended to read as follows:

23 § 2212. Removal of district superintendent from office. A district
24 superintendent may be removed from office at any time upon the affirma-
25 tive vote of a majority of the members of the [~~board of cooperative~~
26 ~~educational services~~] NY polytechnical institute, or by the commissioner
27 pursuant to section three hundred six of this chapter.

28 § 78. Subdivision 17 of section 2215 of the education law, as added by
29 section 2-a of part A of chapter 57 of the laws of 2013, is amended to
30 read as follows:

31 17. To determine the adequacy and appropriateness of the facilities
32 space available to house special education programs in the geographic
33 area served by the [~~board of cooperative educational services~~] NY poly-
34 technical institute, consistent with the least restrictive environment
35 requirement and to ensure the stability and continuity of program place-
36 ments for students with disabilities, including procedures that ensure
37 that special education programs and services located in appropriate
38 facilities will not be relocated without adequate consideration of the
39 needs of participating students with disabilities.

40 § 79. Paragraph e of subdivision 5 of section 2218 of the education
41 law, as added by section 83 of part L of chapter 405 of the laws of
42 1999, is amended to read as follows:

43 e. For any reorganization pursuant to this section that takes effect
44 during a school year, the district superintendent shall apportion the
45 administrative expense of the [~~board of cooperative educational~~
46 ~~services~~] NY polytechnical institute chargeable to the pre-existing
47 school district between the new school district and the remaining
48 district based on the actual valuation of the two districts.

49 § 80. Subdivision 10-b of section 2503 of the education law, as added
50 by chapter 525 of the laws of 1986, is amended to read as follows:

51 10-b. In its discretion, to purchase insurance against personal inju-
52 ries incurred by an authorized participant in a school volunteer
53 program, including but not limited to, those authorized participants who
54 assist on school buses, school sponsored transportation to and from
55 school, or on school sponsored field trips or any other school sponsored
56 activity; provided, however, that the injuries were incurred while the

1 authorized participant was functioning either within the scope of [~~his~~
2 ~~or her~~] their authorized volunteer duties or under the direction of the
3 board of education, trustee, or [~~board of cooperative educational~~
4 ~~services~~] NY polytechnical institute, or both.

5 § 81. Subdivision 1 of section 2509 of the education law, as amended
6 by chapter 116 of the laws of 1971, paragraphs (a) and (b) as amended by
7 section 1 of subpart D of part EE of chapter 56 of the laws of 2015,
8 subparagraph ii of paragraph (a) as amended by chapter 143 of the laws
9 of 2024, and subparagraph ii of paragraph (b) as amended by chapter 345
10 of the laws of 2019, is amended to read as follows:

11 1. (a) i. Teachers and all other members of the teaching staff
12 appointed prior to July first, two thousand fifteen and authorized by
13 section twenty-five hundred three of this article, shall be appointed by
14 the board of education, upon the recommendation of the superintendent of
15 schools, for a probationary period of three years, except that in the
16 case of a teacher who has rendered satisfactory service as a regular
17 substitute for a period of two years or as a seasonally licensed per
18 session teacher of swimming in day schools who has served in that capac-
19 ity for a period of two years and has been appointed to teach the same
20 subject in day schools on an annual salary, the probationary period
21 shall be limited to one year; provided, however, that in the case of a
22 teacher who has been appointed on tenure in another school district
23 within the state, the school district where currently employed, or a
24 [~~board of cooperative educational services~~] NY polytechnical institute,
25 and who was not dismissed from such district or [~~board~~] institute as a
26 result of charges brought pursuant to subdivision one of section three
27 thousand twenty-a of this chapter, the probationary period shall not
28 exceed two years. The service of a person appointed to any of such posi-
29 tions may be discontinued at any time during such probationary period,
30 on the recommendation of the superintendent of schools, by a majority
31 vote of the board of education. Each person who is not to be recommended
32 for appointment on tenure shall be so notified by the superintendent of
33 schools in writing not later than sixty days immediately preceding the
34 expiration of [~~his~~] their probationary period.

35 ii. Notwithstanding any other provision of law or regulation to the
36 contrary, teachers and all other members of the teaching staff appointed
37 on or after July first, two thousand fifteen and authorized by section
38 twenty-five hundred three of this article, shall be appointed by the
39 board of education, upon the recommendation of the superintendent of
40 schools, for a probationary period of four years, except that in the
41 case of a teacher who has rendered satisfactory service as a regular
42 substitute for a period of up to two years, or such teacher has rendered
43 satisfactory service as a seasonally licensed per session teacher of
44 swimming in day schools who has served in that capacity for a period of
45 up to two years and has been appointed to teach the same subject in day
46 schools on an annual salary, the teacher shall be appointed for a proba-
47 tionary period of a minimum of two years, depending upon the length of
48 the regular substitute service that shall shorten the length of the
49 probationary period; provided, however, that in the case of a teacher
50 who has been appointed on tenure in another school district within the
51 state, the school district where currently employed, or a [~~board of~~
52 ~~cooperative educational services~~] NY polytechnical institute, and who
53 was not dismissed from such district or [~~board~~] institute as a result of
54 charges brought pursuant to subdivision one of section three thousand
55 twenty-a of this chapter, the teacher shall be appointed for a proba-
56 tionary period of three years. The service of a person appointed to any

1 of such positions may be discontinued at any time during such probation-
2 ary period, on the recommendation of the superintendent of schools, by a
3 majority vote of the board of education. Each person who is not to be
4 recommended for appointment on tenure shall be so notified by the super-
5 intendent of schools in writing not later than sixty days immediately
6 preceding the expiration of such person's probationary period.

7 (b) i. Administrators, directors, supervisors, principals and all
8 other members of the supervising staff, except associate, assistant and
9 other superintendents appointed prior to July first, two thousand
10 fifteen and authorized by section twenty-five hundred three of this
11 article, shall be appointed by the board of education, upon the recom-
12 mendation of the superintendent of schools for a probationary period of
13 three years. The service of a person appointed to any of such positions
14 may be discontinued at any time during the probationary period on the
15 recommendation of the superintendent of schools, by a majority vote of
16 the board of education.

17 ii. Notwithstanding any other provision of law or regulation to the
18 contrary, administrators, directors, supervisors, principals and all
19 other members of the supervising staff, except associate, assistant and
20 other superintendents, appointed on or after July first, two thousand
21 fifteen and authorized by section twenty-five hundred three of this
22 article, shall be appointed by the board of education, upon the recom-
23 mendation of the superintendent of schools for a probationary period of
24 four years; provided, however, that in the case of a principal, adminis-
25 trator, supervisor, or other member of the supervising staff who has
26 been appointed on tenure pursuant to this chapter as an administrator
27 within an authorized administrative tenure area in another school
28 district within the state, the school district where currently employed,
29 or a [~~board of cooperative educational services~~] NY polytechnical insti-
30 tute, and who was not dismissed from such district or [~~board~~] institute
31 as a result of charges brought pursuant to subdivision one of section
32 three thousand twenty-a or section three thousand twenty-b of this chap-
33 ter, the principal, administrator, supervisor or other member of the
34 supervising staff shall be appointed for a probationary period of three
35 years. The service of a person appointed to any of such positions may be
36 discontinued at any time during the probationary period on the recommen-
37 dation of the superintendent of schools, by a majority vote of the board
38 of education.

39 § 82. Subdivision 16-b of section 2554 of the education law, as added
40 by chapter 525 of the laws of 1986, is amended to read as follows:

41 16-b. In its discretion, to purchase insurance against personal inju-
42 ries incurred by an authorized participant in a school volunteer
43 program, including but not limited to, those authorized participants who
44 assist on school buses, school sponsored transportation to and from
45 school, or on school sponsored field trips or any other school sponsored
46 activity; provided, however, that the injuries were incurred while the
47 authorized participant was functioning either within the scope of [~~his~~
48 ~~or her~~] their authorized volunteer duties or under the direction of the
49 board of education, trustee, or [~~board of cooperative educational~~
50 ~~services~~] NY polytechnical institute, or both.

51 § 83. Subdivision 1 of section 2573 of the education law, as amended
52 by section 3 of subpart D of part EE of chapter 56 of the laws of 2015,
53 subparagraphs i and ii of paragraph (a) as amended by chapter 143 of the
54 laws of 2024, and subparagraph ii of paragraph (b) as amended by chapter
55 345 of the laws of 2019, is amended to read as follows:

1 1. (a) i. Teachers and all other members of the teaching staff,
2 appointed prior to July first, two thousand fifteen and authorized by
3 section twenty-five hundred fifty-four of this article, shall be
4 appointed by the board of education, upon the recommendation of the
5 superintendent of schools, for a probationary period of three years,
6 except that in the case of a teacher who has rendered satisfactory
7 service as a regular substitute for a period of two years or as a
8 seasonally licensed per session teacher of swimming in day schools who
9 has served in that capacity for a period of two years and has been
10 appointed to teach the same subject in day schools on an annual salary,
11 the probationary period shall be limited to one year; provided, however,
12 that in the case of a teacher who has been appointed on tenure in another
13 school district within the state, the school district where currently
14 employed, or a ~~board of cooperative educational services~~ NY polytechnic institute,
15 and who was not dismissed from such district or ~~board~~
16 institute as a result of charges brought pursuant to subdivision one of
17 section three thousand twenty-a of this chapter, the probationary period
18 shall not exceed two years; provided, however, that in cities with a
19 population of one million or more, a teacher appointed under a newly
20 created license, for teachers of reading and of the emotionally handicapped,
21 to a position which the teacher has held for at least two years
22 prior to such appointment while serving on tenure in another license
23 area who was not dismissed as a result of charges brought pursuant to
24 subdivision one of section three thousand twenty-a of this chapter, the
25 probationary period shall be one year. The service of a person appointed
26 to any of such positions may be discontinued at any time during such
27 probationary period, on the recommendation of the superintendent of
28 schools, by a majority vote of the board of education. Each person who
29 is not to be recommended for appointment on tenure shall be so notified
30 by the superintendent of schools in writing not later than sixty days
31 immediately preceding the expiration of such person's probationary period.
32 In city school districts having a population of four hundred thousand
33 or more, persons with licenses obtained as a result of examinations
34 announced subsequent to the twenty-second day of May, nineteen hundred
35 sixty-nine appointed upon conditions that all announced requirements for
36 the position be fulfilled within a specified period of time, shall not
37 acquire tenure unless and until such requirements have been completed
38 within the time specified for the fulfillment of such requirements,
39 notwithstanding the expiration of any probationary period. In all other
40 city school districts subject to the provisions of this article, failure
41 to maintain certification as required by this article and by the regulations
42 of the commissioner shall be cause for removal within the meaning
43 of subdivision five of this section.

44 ii. Teachers and all other members of the teaching staff appointed on
45 or after July first, two thousand fifteen and authorized by section
46 twenty-five hundred fifty-four of this article, shall be appointed by
47 the board of education, upon the recommendation of the superintendent of
48 schools, for a probationary period of four years, except that in the
49 case of a teacher who has rendered satisfactory service as a regular
50 substitute for a period of up to two years, or such teacher has rendered
51 satisfactory service as a seasonally licensed per session teacher of
52 swimming in day schools who has served in that capacity for a period of
53 up to two years and has been appointed to teach the same subject in day
54 schools on an annual salary, the teacher shall be appointed for a probationary
55 period of a minimum of two years, depending upon the length of
56 the regular substitute service that shall shorten the length of the

1 probationary period; provided, however, that in the case of a teacher
2 who has been appointed on tenure in another school district within the
3 state, the school district where currently employed, or a ~~[board of~~
4 ~~cooperative educational services]~~ NY polytechnical institute, and who
5 was not dismissed from such district or ~~[board]~~ institute as a result of
6 charges brought pursuant to subdivision one of section three thousand
7 twenty-a of this chapter, the teacher shall be appointed for a proba-
8 tionary period of three years; provided further, however, that in cities
9 with a population of one million or more, a teacher appointed under a
10 newly created license, for teachers of reading and of the emotionally
11 handicapped, to a position which the teacher has held for at least two
12 years prior to such appointment while serving on tenure in another
13 license area who was not dismissed as a result of charges brought pursu-
14 ant to subdivision one of section three thousand twenty-a of this chap-
15 ter, the teacher shall be appointed for a probationary period of two
16 years. The service of a person appointed to any of such positions may be
17 discontinued at any time during such probationary period, on the recom-
18 mendation of the superintendent of schools, by a majority vote of the
19 board of education. Each person who is not to be recommended for
20 appointment on tenure shall be so notified by the superintendent of
21 schools in writing not later than sixty days immediately preceding the
22 expiration of such person's probationary period. In all city school
23 districts subject to the provisions of this article, failure to maintain
24 certification as required by this article and by the regulations of the
25 commissioner shall be cause for removal within the meaning of subdivi-
26 sion five of this section.

27 (b) i. Administrators, directors, supervisors, principals and all
28 other members of the supervising staff, except executive directors,
29 associate, assistant, district and community superintendents and examin-
30 ers, appointed prior to July first, two thousand fifteen and authorized
31 by section twenty-five hundred fifty-four of this article, shall be
32 appointed by the board of education, upon the recommendation of the
33 superintendent or chancellor of schools, for a probationary period of
34 three years. The service of a person appointed to any of such positions
35 may be discontinued at any time during the probationary period on the
36 recommendation of the superintendent of schools, by a majority vote of
37 the board of education.

38 ii. Administrators, directors, supervisors, principals and all other
39 members of the supervising staff, except executive directors, associate,
40 assistant, district and community superintendents and examiners,
41 appointed on or after July first, two thousand fifteen and authorized by
42 section twenty-five hundred fifty-four of this article, shall be
43 appointed by the board of education, upon the recommendation of the
44 superintendent or chancellor of schools, for a probationary period of
45 four years provided that such probationary period may be extended in
46 accordance with paragraph (b) of subdivision five of this section;
47 provided, however, that in the case of a principal, administrator,
48 supervisor, or other member of the supervising staff who has been
49 appointed on tenure pursuant to this chapter as an administrator within
50 an authorized administrative tenure area in another school district
51 within the state, the school district where currently employed, or a
52 ~~[board of cooperative educational services]~~ NY polytechnical institute
53 and who was not dismissed from such district or ~~[board]~~ institute as a
54 result of charges brought pursuant to subdivision one of section three
55 thousand twenty-a or section three thousand twenty-b of this chapter,
56 the principal, administrator, supervisor or other member of the super-

1 vising staff shall be appointed for a probationary period of three
2 years. The service of a person appointed to any of such positions may be
3 discontinued at any time during the probationary period on the recommen-
4 dation of the superintendent of schools, by a majority vote of the board
5 of education.

6 § 84. Paragraph (b) of subdivision 5 of section 2601-a of the educa-
7 tion law, as amended by section 9 of part A of chapter 97 of the laws of
8 2011, is amended to read as follows:

9 (b) items of expense specifically authorized by statute to be incurred
10 by the board of education, including, but not limited to, expenditures
11 for transportation to and from regular school programs included as ordi-
12 nary contingent expenses in subdivision twelve of section twenty-five
13 hundred three of this chapter, expenditures for textbooks, required
14 services for non-public school students, school health services, special
15 education services, kindergarten and nursery school programs, and the
16 district's share of the administrative costs and costs of services
17 provided by a [~~board of cooperative educational services~~] NY polytechni-
18 cal institute;

19 § 85. The opening paragraph of subdivision 2 of section 2801 of the
20 education law, as amended by chapter 380 of the laws of 2001, is amended
21 to read as follows:

22 The board of education or the trustees, as defined in section two of
23 this chapter, of every school district within the state, however
24 created, and every [~~board of cooperative educational services~~] NY poly-
25 technical institute and county vocational extension board, shall adopt
26 and amend, as appropriate, a code of conduct for the maintenance of
27 order on school property, including a school function, which shall
28 govern the conduct of students, teachers and other school personnel as
29 well as visitors and shall provide for the enforcement thereof. Such
30 policy may be adopted by the school board or trustees only after at
31 least one public hearing that provides for the participation of school
32 personnel, parents, students and any other interested parties. Such code
33 of conduct shall include, at a minimum:

34 § 86. Subdivision 1 of section 2801-a of the education law, as amended
35 by section 1 of part B of chapter 54 of the laws of 2016, is amended to
36 read as follows:

37 1. The board of education or trustees, as defined in section two of
38 this chapter, of every school district within the state, however
39 created, and every [~~board of cooperative educational services~~] NY poly-
40 technical institute and county vocational education and extension board
41 and the chancellor of the city school district of the city of New York
42 shall adopt and amend a comprehensive district-wide school safety plan
43 and building-level emergency response plans regarding crisis inter-
44 vention, emergency response and management, provided that in the city
45 school district of the city of New York, such plans shall be adopted by
46 the chancellor of the city school district. Such plans shall be devel-
47 oped by a district-wide school safety team and a building-level emergen-
48 cy response team established pursuant to subdivision four of this
49 section and shall be in a form developed by the commissioner in consul-
50 tation with the division of criminal justice services, the superinten-
51 dent of the state police and any other appropriate state agencies. The
52 commissioner, in consultation with the superintendent of the state
53 police, is authorized to develop an appeals process from duplicative
54 requirements of a district-wide school safety plan for school districts
55 having only one school building.

1 § 87. Section 2801-b of the education law, as amended by section 3-a
2 of part A of chapter 57 of the laws of 2013, is amended to read as
3 follows:

4 § 2801-b. New York state school safety improvement teams. The governor
5 shall establish New York state school safety improvement teams, which
6 may be composed of representatives from the division of homeland securi-
7 ty and emergency services, the division of state police, the division of
8 criminal justice services, and the department. Such New York State
9 School Safety Improvement Teams shall review and assess school safety
10 plans submitted, on a voluntary basis, by school districts having a
11 population of less than one hundred twenty-five thousand inhabitants,
12 ~~[boards of cooperative educational services]~~ NY polytechnical
13 institutes, nonpublic schools, and county vocational education and
14 extension boards, and may make recommendations to improve such school
15 safety plans.

16 § 88. Intentionally omitted.

17 § 89. Subdivision 2, the opening paragraph of subdivision 3, and
18 subdivision 4 of section 2802 of the education law, as added by chapter
19 181 of the laws of 2000, are amended to read as follows:

20 2. The commissioner, in conjunction with the division of criminal
21 justice services, shall establish a statewide uniform violent incident
22 reporting system which public school districts, ~~[boards of cooperative~~
23 ~~educational services]~~ NY polytechnical institutes and county vocational
24 education and extension boards shall follow.

25 The uniform violent incident reporting system shall require public
26 school districts, ~~[boards of cooperative educational services]~~ NY poly-
27 technical institutes and county vocational education and extension
28 boards to annually report to the commissioner in a form and by a date
29 prescribed by the commissioner, the following information concerning
30 violent and disruptive incidents that occurred in the prior school year:

31 4. The commissioner shall require a summary of such information to be
32 included, in a form prescribed by the commissioner, in the school
33 district report cards or ~~[board of cooperative educational services]~~ NY
34 polytechnical institute report cards required by this chapter.

35 § 90. Subdivision 3 of section 3003 of the education law, as amended
36 by chapter 149 of the laws of 1974, is amended to read as follows:

37 3. The commissioner, at the request of a board of education or ~~[board~~
38 ~~of cooperative educational services]~~ NY polytechnical institute, may
39 provide for the issuance of a certificate as superintendent of schools
40 to exceptionally qualified persons who do not meet all of the graduate
41 course or teaching requirements of subdivision one of this section, but
42 whose exceptional training and experience are the substantial equivalent
43 of such requirements and qualify such persons for the duties of a super-
44 intendent of schools.

45 § 91. Subdivisions 3, 4, and 5 of section 3004 of the education law,
46 subdivision 3 as added by chapter 181 of the laws of 2000, subdivisions
47 4 and 5 as amended by chapter 484 of the laws of 2008, are amended to
48 read as follows:

49 3. The commissioner shall prescribe regulations requiring that all
50 persons applying on or after February second, two thousand one for a
51 teaching certificate or license, including but not limited to a certif-
52 icate or license valid for service as a classroom teacher, teaching
53 assistant, pupil personnel service professional, school administrator or
54 supervisor or superintendent of schools, shall, in addition to all the
55 other certification or licensing requirements, have completed two hours
56 of course work or training in school violence prevention and inter-

vention. The course work or training shall be obtained from an institution or provider which has been approved by the department to provide such course work or training. Such regulations shall also require that school districts and ~~[boards of cooperative educational services]~~ NY polytechnical institutes include training for teachers and other certified or licensed employees in school violence prevention and intervention in their required professional development plans.

4. a. The commissioner shall prescribe regulations requiring that all persons applying on or after September second, two thousand nine for a teaching certificate or license as a special education teacher for the purposes pursuant to article eighty-nine of this chapter shall, in addition to all the other certification or licensing requirements, have completed enhanced course work or training in area of children with autism. In addition, such regulations shall require that enhanced training in the needs of autistic children be provided to each certified school administrator or supervisor assigned on or after September second, two thousand nine to serve as a special education administrator. Such training shall be provided prior to, or as soon as practicable following, assignment as a special education administrator. Individuals serving as special education administrators as of September second, two thousand nine shall complete such training by such date. The enhanced course work or training shall be obtained from an institution or provider which has been approved by the department to provide such course work or training in the needs of autistic children, provided that enhanced training for certified school administrators or supervisors that meets standards prescribed by the commissioner may be included in the professional development provided by the school district or ~~[board of cooperative educational services]~~ NY polytechnical institute to such administrators or supervisors.

b. The commissioner shall assure that teacher preparation institutions, in the two thousand eight--two thousand nine academic year, include instruction in the needs of autistic children in all programs leading to certification as a special education teacher.

5. Notwithstanding any other provision of law, the commissioner is authorized and empowered to certify or require training of teachers, administrators and instructors in the area of autistic needs. The commissioner shall have the power to prescribe the necessary regulations and establish such programs and training related to the needs of autistic children. Such programs and training shall be obtained from an institution or provider which has been approved by the department to provide such programs and training, except that a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute may provide such training as part of its professional development program.

§ 92. Paragraph d of subdivision 1 and subdivision 3 of section 3006-a of the education law, as amended by chapter 311 of the laws of 2017, are amended to read as follows:

d. Any certificate holder who is not practicing as a teacher, teaching assistant or educational leader in a school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, or nonpublic school that is providing instruction pursuant to subdivision two of section thirty-two hundred four of this title in this state shall be exempt from the continuing teacher and leader education requirement upon the filing of a written statement with the department declaring such status. Any holder of a professional certificate in the classroom teaching service, holder of a level III teaching assistant certificate and

holder of a professional certificate in the educational leadership service who resumes practice during the five-year registration period shall notify the department prior to resuming practice and shall meet such continuing teacher and leader education requirements as prescribed in regulations of the commissioner.

3. The department, in its discretion, may issue a conditional registration to a teacher, teaching assistant or educational leader in a school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, or nonpublic school that is providing instruction pursuant to subdivision two of section thirty-two hundred four of this title in this state who fails to meet the continuing teacher and leader education requirements established in subdivision two of this section but who agrees to make up any deficiencies and take any additional continuing teacher and leader education which the department may require. The duration of such conditional registration shall be determined by the department. Any holder of a professional certificate in the classroom teaching service, holder of a level III teaching assistant certificate or holder of a professional certificate in the educational leadership service and any other certified individual required by the commissioner to register every five years who is notified of the denial of registration for failure to submit evidence, satisfactory to the department, of required continuing teacher and leader education and who practices without such registration, shall be subject to moral character review under subdivision seven of section three hundred five of this chapter.

§ 93. Subdivision 1 of section 3012 of the education law, as amended by chapter 143 of the laws of 2024, is amended to read as follows:

1. (a) i. Teachers and all other members of the teaching staff of school districts, including common school districts and/or school districts employing fewer than eight teachers, other than city school districts, who are appointed prior to July first, two thousand fifteen, shall be appointed by the board of education, or the trustees of common school districts, upon the recommendation of the superintendent of schools, for a probationary period of three years, except that in the case of a teacher who has rendered satisfactory service as a regular substitute for a period of two years or as a seasonally licensed per session teacher of swimming in day schools who has served in that capacity for a period of two years and has been appointed to teach the same subject in day schools, on an annual salary, the probationary period shall be limited to one year; provided, however, that in the case of a teacher who has been appointed on tenure in another school district within the state, the school district where currently employed, or a ~~[board of cooperative educational services]~~ NY polytechnical institute, and who was not dismissed from such district or ~~[board]~~ institute as a result of charges brought pursuant to subdivision one of section three thousand twenty-a of this article, the probationary period shall not exceed two years. The service of a person appointed to any of such positions may be discontinued at any time during such probationary period, on the recommendation of the superintendent of schools, by a majority vote of the board of education or the trustees of a common school district.

ii. Teachers and all other members of the teaching staff of school districts, including common school districts and/or school districts employing fewer than eight teachers, other than city school districts, who are appointed on or after July first, two thousand fifteen, shall be appointed by the board of education, or the trustees of common school

1 districts, upon the recommendation of the superintendent of schools, for
2 a probationary period of four years, except that in the case of a teach-
3 er who has rendered satisfactory service as a regular substitute for a
4 period of up to two years or such teacher has rendered satisfactory
5 service as a seasonally licensed per session teacher of swimming in day
6 schools who has served in that capacity for a period of up to two years
7 and has been appointed to teach the same subject in day schools, on an
8 annual salary, the teacher shall be appointed for a probationary period
9 of a minimum of two years, depending upon the length of the regular
10 substitute service that shall shorten the length of the probationary
11 period; provided, however, that in the case of a teacher who has been
12 appointed on tenure in another school district within the state, the
13 school district where currently employed, or a [~~board of cooperative~~
14 ~~educational services~~] NY polytechnical institute, and who was not
15 dismissed from such district or [~~board~~] institute as a result of charges
16 brought pursuant to subdivision one of section three thousand twenty-a
17 of this article, the teacher shall be appointed for a probationary peri-
18 od of three years. The service of a person appointed to any of such
19 positions may be discontinued at any time during such probationary peri-
20 od, on the recommendation of the superintendent of schools, by a majori-
21 ty vote of the board of education or the trustees of a common school
22 district.

23 (b) i. Principals, administrators, supervisors and all other members
24 of the supervising staff of school districts, including common school
25 districts and/or school districts employing fewer than eight teachers,
26 other than city school districts, who are appointed prior to July first,
27 two thousand fifteen, shall be appointed by the board of education, or
28 the trustees of a common school district, upon the recommendation of the
29 superintendent of schools for a probationary period of three years. The
30 service of a person appointed to any of such positions may be discontin-
31 ued at any time during the probationary period on the recommendation of
32 the superintendent of schools, by a majority vote of the board of educa-
33 tion or the trustees of a common school district.

34 ii. Principals, administrators, supervisors and all other members of
35 the supervising staff of school districts, including common school
36 districts and/or school districts employing fewer than eight teachers,
37 other than city school districts, who are appointed on or after July
38 first, two thousand fifteen, shall be appointed by the board of educa-
39 tion, or the trustees of a common school district, upon the recommenda-
40 tion of the superintendent of schools for a probationary period of four
41 years; provided, however, that in the case of a principal, administra-
42 tor, supervisor, or other member of the supervising staff who has been
43 appointed on tenure pursuant to this chapter as an administrator within
44 an authorized administrative tenure area in another school district
45 within the state, the school district where currently employed, or a
46 [~~board of cooperative educational services~~] NY polytechnical institute,
47 and who was not dismissed from such district or [~~board~~] institute as a
48 result of charges brought pursuant to subdivision one of section three
49 thousand twenty-a of this article, the principal, administrator, super-
50 visor or other member of the supervising staff shall be appointed for a
51 probationary period of three years. The service of a person appointed to
52 any of such positions may be discontinued at any time during the proba-
53 tionary period on the recommendation of the superintendent of schools,
54 by a majority vote of the board of education or the trustees of a common
55 school district.

(c) Any person previously appointed to tenure or a probationary period pursuant to the provisions of former section three thousand thirteen of this article shall continue to hold such position and be governed by the provisions of this section notwithstanding any contrary provision of law.

§ 94. Subdivision 1 of section 3012-c of the education law, as amended by section 6 of subpart D of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

1. Notwithstanding any other provision of law, rule or regulation to the contrary, the annual professional performance reviews of all classroom teachers and building principals employed by school districts or ~~[boards of cooperative educational services]~~ NY polytechnical institutes shall be conducted in accordance with the provisions of this section. Such performance reviews which are conducted on or after July first, two thousand eleven, or on or after the date specified in paragraph c of subdivision two of this section where applicable, shall include measures of student achievement and be conducted in accordance with this section. Such annual professional performance reviews shall be a significant factor for employment decisions including but not limited to, promotion, retention, tenure determination, termination, and supplemental compensation, which decisions are to be made in accordance with locally developed procedures negotiated pursuant to the requirements of article fourteen of the civil service law where applicable. Provided, however, that nothing in this section shall be construed to affect the unfettered statutory right of a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute to terminate a probationary teacher or principal for any statutorily and constitutionally permissible reasons, including but not limited to misconduct and until a tenure decision is made, the performance of the teacher or principal in the classroom. Such performance reviews shall also be a significant factor in teacher and principal development, including but not limited to, coaching, induction support and differentiated professional development, which are to be locally established in accordance with procedures negotiated pursuant to the requirements of article fourteen of the civil service law.

§ 95. Subparagraph 1 of paragraph b, subparagraph 1 of paragraph c, and subparagraph 2 of paragraph e of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, are amended to read as follows:

(1) Annual professional performance reviews conducted by school districts or ~~[boards of cooperative educational services]~~ NY polytechnical institutes for the two thousand eleven--two thousand twelve school year of classroom teachers of common branch subjects or English language arts or mathematics in grades four to eight and all building principals of schools in which such teachers are employed shall be conducted pursuant to this subdivision and shall use two thousand ten--two thousand eleven school year student data as the baseline for the initial computation of the composite teacher or principal effectiveness score for such classroom teachers and principals.

(1) Annual professional performance reviews conducted by school districts or ~~[boards of cooperative educational services]~~ NY polytechnical institutes for the two thousand twelve--two thousand thirteen school year and thereafter of all classroom teachers and all building principals shall be conducted pursuant to this subdivision and shall use two thousand eleven--two thousand twelve school year student data as the baseline for the initial computation of the composite teacher or principal effectiveness score for such classroom teachers and principals.

1 pal effectiveness score for such classroom teachers and principals. For
2 purposes of this section, an administrator in charge of an instructional
3 program of a [~~board of cooperative educational services~~] NY polytechni-
4 cal institute shall be deemed to be a building principal.

5 (2) Such locally selected measures may include measures of student
6 achievement or growth on state assessments, regents examinations and/or
7 department approved equivalent, provided that such measures are differ-
8 ent from those prescribed by the commissioner pursuant to clause (i) of
9 subparagraph one of this paragraph. The regulations of the commissioner
10 shall describe the types of measures of student growth or achievement
11 that may be locally selected. The selection of the local measure(s) as
12 described in this paragraph to be used by the school district or [~~board~~
13 ~~of cooperative educational services~~] NY polytechnical institute shall be
14 determined through collective bargaining.

15 § 96. Clauses (iii), (iv), and (v) of subparagraph 2, clauses (ix) and
16 (x) of subparagraph 3 and subparagraph 4 of paragraph f of subdivision 2
17 of section 3012-c of the education law, as amended by chapter 21 of the
18 laws of 2012, are amended to read as follows:

19 (iii) student growth or achievement computed in a manner determined
20 locally based on a district, regional or [~~BOCES-developed~~] NY polytech-
21 nical institute-developed assessment that is rigorous and comparable
22 across classrooms;

23 (iv) a school-wide measure of either student growth or achievement
24 based on either:

25 (A) a state-provided student growth score covering all students in the
26 school that took the state assessment in English language arts or math-
27 ematics in grades four through eight;

28 (B) a school-wide measure of student growth or achievement computed in
29 a manner determined locally based on a district, regional or [~~board of~~
30 ~~cooperative educational services~~] NY polytechnical institute developed
31 assessment that is rigorous and comparable across classrooms or a
32 department approved student assessment or based on a state assessment;
33 or

34 (v) where applicable, for teachers in any grade or subject where there
35 is no growth or value-added growth model approved by the board of
36 regents at that grade level or in that subject, a structured district-
37 wide student growth goal-setting process to be used with any state
38 assessment or an approved student assessment or a district, regional or
39 [~~BOCES-developed~~] NY polytechnical institute-developed assessment that
40 is rigorous and comparable across classrooms.

41 (ix) For school districts or [~~boards of cooperative educational~~
42 ~~services~~] NY polytechnical institutes that choose to use more than one
43 set of locally selected measures described in this paragraph for princi-
44 pals in the same or similar grade configuration or program such as one
45 set of locally selected measures is used to evaluate principals in some
46 K-5 schools and another set of locally selected measures is used to
47 evaluate principals in the other K-5 schools in the district, the super-
48 intendent or district superintendent shall, in their professional
49 performance review plan, certify that the sets of measures are compara-
50 ble, in accordance with the testing standards as defined in regulations
51 of the commissioner.

52 (x) For building principals employed in schools or programs for which
53 there is no approved principal value-added model, the types of locally
54 selected measures of student achievement or growth specified in subpara-
55 graph three of paragraph g of this subdivision may be used. In addition,
56 a structured district-wide student growth goal-setting process to be

1 used with any state assessment or an approved student assessment or a
2 district, [~~regional of BOCES developed~~] NY polytechnical institute-de-
3 veloped assessment that is rigorous and comparable across classrooms may
4 be a locally selected measure.

5 (4) The selection of the local measure or measures as described in
6 subparagraphs two and three of this paragraph to be used by the school
7 district or [~~board of cooperative educational services~~] NY polytechnical
8 institute shall be determined through collective bargaining.

9 § 97. Clauses (iii) and (iv) of subparagraph 2, clause (ix) of subpar-
10 agraph 3, and subparagraph 4 of paragraph g of subdivision 2 of section
11 3012-c of the education law, as amended by chapter 21 of the laws of
12 2012, are amended to read as follows:

13 (iii) student growth or achievement computed in a manner determined
14 locally based on a district, regional or [~~BOCES developed~~] NY polytech-
15 nical institute-developed assessment that is rigorous and comparable
16 across classrooms;

17 (iv) a school-wide measure of either student growth or achievement
18 based on either:

19 (A) a state-provided student growth score covering all students in the
20 school that took the state assessment in English language arts or math-
21 ematics in grades four through eight; or

22 (B) a school-wide measure of student growth or achievement computed in
23 a manner determined locally based on a district, regional or [~~board of~~
24 ~~cooperative educational services~~] NY polytechnical institute developed
25 assessment that is rigorous and comparable across classrooms or a
26 department approved student assessment or based on a state assessment.

27 (ix) For school districts or [~~boards of cooperative educational~~
28 ~~services~~] NY polytechnical institutes that choose to use more than one
29 set of locally selected measures described in this paragraph for princi-
30 pals in the same or similar grade configuration or program, the super-
31 intendent or district superintendent shall, in their professional
32 performance review plan, certify that the sets of measures are compara-
33 ble, in accordance with the testing standards as defined in regulations
34 of the commissioner.

35 (4) The selection of the local measure or measures as described in
36 subparagraphs two and three of this paragraph to be used by the school
37 district or [~~board of cooperative educational services~~] NY polytechnical
38 institute shall be determined through collective bargaining.

39 § 98. Clause (i) of subparagraph 3 and subparagraph 6 of paragraph h
40 of subdivision 2 of section 3012-c of the education law, as amended by
41 chapter 21 of the laws of 2012, are amended to read as follows:

42 (i) one or more classroom observations by independent trained evalu-
43 ators selected by the school district or [~~board of cooperative educa-~~
44 ~~tional services~~] NY polytechnical institute who are teachers or former
45 teachers with a demonstrated record of effectiveness and have no prior
46 affiliation with the school in which they are conducting the evaluation
47 and no other relationship with the teachers being evaluated that would
48 affect their impartiality;

49 (6) The district or [~~board of cooperative educational services~~] NY
50 polytechnical institute shall establish specific minimum and maximum
51 scoring ranges for each performance level within this subcomponent
52 before the start of each school year and shall assign points to a teach-
53 er or principal for this subcomponent based on the standards prescribed
54 in the regulations of the commissioner, all in accordance with, and
55 subject to, the requirements of paragraph j of this subdivision.

§ 99. Subparagraph 2 of paragraph j of subdivision 2 of section 3012-c of the education law, as added by chapter 21 of the laws of 2012, is amended to read as follows:

(2) Such process must ensure that it is possible for a teacher or principal to obtain each point in the applicable scoring ranges, including zero, for the state assessment or other comparable measures subcomponent, the locally selected measures of student achievement subcomponent and the overall rating categories. The process must also ensure that it is possible for a teacher or principal to obtain each point in the scoring ranges prescribed by the district or ~~[board of cooperative educational services]~~ NY polytechnical institute for the other measures of teacher and principal effectiveness subcomponent.

§ 100. Paragraphs k and k-1 of subdivision 2 of section 3012-c of the education law, paragraph k as added by chapter 21 of the laws of 2012 and paragraph k-1 as added by section 1 of subpart G of part AA of chapter 56 of the laws of 2014, are amended to read as follows:

k. Notwithstanding any other provision of law, rule or regulation to the contrary, by July first, two thousand twelve, the governing body of each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute shall adopt a plan, on a form prescribed by the commissioner, for the annual professional performance review of all of its classroom teachers and building principals in accordance with the requirements of this section and the regulations of the commissioner, and shall submit such plan to the commissioner for approval. The plan may be an annual or multi-year plan, for the annual professional performance review of all of its classroom teachers and building principals. The commissioner shall approve or reject the plan by September first, two thousand twelve, or as soon as practicable thereafter. The commissioner may reject a plan that does not rigorously adhere to the provisions of this section and the regulations of the commissioner. Should any plan be rejected, the commissioner shall describe each deficiency in the submitted plan and direct that each such deficiency be resolved through collective bargaining to the extent required under article fourteen of the civil service law. If any material changes are made to the plan, the school district or ~~[board of cooperative educational services]~~ NY polytechnical institute must submit the material changes, on a form prescribed by the commissioner, to the commissioner for approval. To the extent that by July first, two thousand twelve, or by July first of any subsequent year, if all the terms of the plan have not been finalized as a result of unresolved collective bargaining negotiations, the entire plan shall be submitted to the commissioner upon resolution of all of its terms, consistent with article fourteen of the civil service law.

k-1. If material changes are submitted pursuant to paragraph k of this subdivision for an approved plan that solely relates to the elimination of student assessments that are not required by state or federal law, the commissioner shall expedite ~~[his or her]~~ their review of such material changes and solely review those sections of the plan that relate to the eliminated student assessments to ensure compliance with this section and the regulations of the commissioner, provided that the governing body of such school district or ~~[board of cooperative educational services]~~ NY polytechnical institute provide a written explanation of the material changes submitted for approval, on a form prescribed by the commissioner, and certify that no other material changes have been made to any other sections of the currently approved plan, and provided further that the commissioner shall complete such

1 review of material changes properly and completely submitted under this
2 paragraph within ten business days of submission.

3 § 101. Subdivisions 3, 4, 5, 7, 8, 9, and 10 of section 3012-c of the
4 education law, subdivisions 3, 7 and 8 as added by chapter 103 of the
5 laws of 2010, subdivisions 4 and 5 as amended and subdivision 9 as added
6 by chapter 21 of the laws of 2012, paragraph b of subdivision 5 as
7 amended by section 7 of subpart D of part EE of chapter 56 of the laws
8 of 2015, and subdivision 10 as added by chapter 68 of the laws of 2012,
9 are amended to read as follows:

10 3. Nothing in this section shall be construed to excuse school
11 districts or [~~boards of cooperative educational services~~] NY polytechni-
12 cal institutes from complying with the standards set forth in the regu-
13 lations of the commissioner for conducting annual professional perform-
14 ance reviews of classroom teachers or principals, including but not
15 limited to required quality rating categories, in conducting evaluations
16 prior to July first, two thousand eleven, or, for classroom teachers or
17 principals subject to paragraph c of subdivision two of this section,
18 prior to July first, two thousand twelve.

19 4. Notwithstanding any other law, rule or regulation to the contrary,
20 upon rating a teacher or a principal as developing or ineffective
21 through an annual professional performance review conducted pursuant to
22 subdivision two of this section, the school district or [~~board of coop-~~
23 ~~erative educational services~~] NY polytechnical institute shall formulate
24 and commence implementation of a teacher or principal improvement plan
25 for such teacher or principal as soon as practicable but in no case
26 later than ten school days after the opening of classes for the school
27 year. Such improvement plan shall be consistent with the regulations of
28 the commissioner and developed locally through negotiations conducted
29 pursuant to article fourteen of the civil service law. Such improvement
30 plan shall include, but need not be limited to, identification of needed
31 areas of improvement, a timeline for achieving improvement, the manner
32 in which improvement will be assessed, and, where appropriate, differen-
33 tiated activities to support a teacher's or principal's improvement in
34 those areas.

35 5. a. An appeals procedure shall be locally established in each school
36 district and in each [~~board of cooperative educational services~~] NY
37 polytechnical institute by which the evaluated teacher or principal may
38 only challenge the substance of the annual professional performance
39 review, the school district's or [~~board of cooperative educational~~
40 ~~services~~] NY polytechnical institute's adherence to the standards and
41 methodologies required for such reviews, pursuant to this section, the
42 adherence to the regulations of the commissioner and compliance with any
43 applicable locally negotiated procedures, as well as the school
44 district's or [~~board of cooperative educational services~~] NY polytech-
45 nical institute's issuance and/or implementation of the terms of the
46 teacher or principal improvement plan, as required under this section.
47 Appeal procedures shall provide for the timely and expeditious resol-
48 ution of any appeal under this subdivision. The specifics of the appeal
49 procedure shall be locally established through negotiations conducted
50 pursuant to article fourteen of the civil service law. An evaluation
51 which is the subject of an appeal shall not be sought to be offered in
52 evidence or placed in evidence in any proceeding conducted pursuant to
53 either section three thousand twenty-a of this article or any locally
54 negotiated alternate disciplinary procedure, until the appeal process is
55 concluded.

b. Nothing in this section shall be construed to alter or diminish the authority of the governing body of a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute to grant or deny tenure to or terminate probationary teachers or probationary building principals during the pendency of an appeal pursuant to this section for statutorily and constitutionally permissible reasons including the teacher's or principal's performance that is the subject of the appeal.

c. Nothing in this section shall be construed to authorize a teacher or principal to trigger the appeal process prior to receipt of their composite effectiveness score and rating from the district or ~~[board of cooperative educational services]~~ NY polytechnical institute.

7. The regulations adopted pursuant to this section shall be developed in consultation with an advisory committee consisting of representatives of teachers, principals, superintendents of schools, school boards, school district and ~~[board of cooperative educational services]~~ NY polytechnical institute officials and other interested parties. The regulations shall also take into account any (i) professional teaching standards; (ii) standards for professional contexts; and (iii) standards for a continuum of system support for teachers and principals developed in consultation with the advisory committee. Regulations promulgated pursuant to this section shall be effective no later than July first, two thousand eleven, for implementation in the two thousand eleven--two thousand twelve school year.

8. Notwithstanding any other provision of law, rule or regulation to the contrary, all collective bargaining agreements applicable to classroom teachers or building principals entered into after July first, two thousand ten shall be consistent with requirements of this section. Nothing in this section shall be construed to abrogate any conflicting provisions of any collective bargaining agreement in effect on July first, two thousand ten during the term of such agreement and until the entry into a successor collective bargaining agreement, provided that notwithstanding any other provision of law to the contrary, upon expiration of such term and the entry into a successor collective bargaining agreement the provisions of this section shall apply. Furthermore, nothing in this section or in any rule or regulation promulgated hereunder shall in any way, alter, impair or diminish the rights of a local collective bargaining representative to negotiate evaluation procedures in accordance with article fourteen of the civil service law with the school district or ~~[board of cooperative educational services]~~ NY polytechnical institute.

9. a. The department shall annually monitor and analyze trends and patterns in teacher and principal evaluation results and data to identify school districts, ~~[boards of cooperative educational services]~~ NY polytechnical institutes and/or schools where evidence suggests that a more rigorous evaluation system is needed to improve educator effectiveness and student learning outcomes. The criteria for identifying school districts, ~~[boards of cooperative educational services]~~ NY polytechnical institutes and/or schools shall be prescribed in the regulations of the commissioner.

b. A school, school district or ~~[board of cooperative educational services]~~ NY polytechnical institute identified by the department in one of the categories enumerated in paragraph a of this subdivision may be highlighted in public reports and/or the commissioner may order a corrective action plan, which may include, but not be limited to, requirements that the district or ~~[board of cooperative educational services]~~ NY polytechnical institute arrange for additional professional

development, provide additional in-service training and/or utilize independent trained evaluators to review the efficacy of the evaluation system, provided that the plan shall be consistent with law and not in conflict with any applicable collective bargaining agreement.

10. Each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute shall fully disclose and release to the public and the department the final quality ratings and composite effectiveness scores from the annual professional performance reviews of its teachers and principals as provided in this subdivision.

a. The commissioner shall fully disclose professional performance review data for teachers and principals in each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute on the department website and in any other manner to make such data widely available to the public. Such data shall be suitable for research, analysis and comparison of professional performance review data for teachers and principals. Such public disclosure shall include but not be limited to the final quality ratings and composite effectiveness scores by school district for principal evaluation data, by school building for teacher evaluation data and, within each district and school building, by class, subject and grade; final quality ratings and composite effectiveness scores by region, district wealth, district need category, student enrollment, type of school (i.e. elementary, middle and high school), student need (e.g., poverty level), and district spending; final quality ratings and composite effectiveness scores by the percentage or number of teachers and principals in each final quality rating category, moving to a higher rating category than the previous year, moving to a lower rating category than the previous year, and retained in each rating category; and data on tenure granting and denial based on the final quality rating categories.

b. Each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute shall fully disclose and release to the parents and legal guardians of a student the final quality rating and composite effectiveness score for each of the teachers and for the principal of the school building to which the student is assigned for the current school year upon the request of such parents and legal guardians. The governing body of each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute shall provide conspicuous notice to parents and legal guardians of the right to obtain such information. Parents and legal guardians may review and receive such data in any manner, including by phone or in person; shall receive an oral or written explanation of the composite effectiveness scoring ranges for final quality ratings; and be offered opportunities to understand such scores in the context of teacher evaluation and student performance. Reasonable efforts shall be made to verify that any such request is a bona fide request by a parent or guardian entitled to review and receive such data pursuant to this paragraph.

c. The department and each school district and ~~[board of cooperative educational services]~~ NY polytechnical institute shall ensure that any release to the public of annual professional performance review data, or any other data that is used as a component of annual professional performance reviews, does not include personally identifying information for any teacher or principal, provided, however, that nothing shall impair the right of parents and legal guardians to review and receive the final quality rating and composite effectiveness score of individual teachers and principals as provided in paragraph b of this subdivision. Annual professional performance reviews of individual teachers and prin-

1 cipals shall not be subject to disclosure pursuant to article six of the
2 public officers law.

3 d. Nothing in this subdivision shall prohibit the department from
4 collecting such data and materials from school districts and [~~boards of~~
5 ~~cooperative educational services~~] NY polytechnical institutes as is
6 necessary to carry out its functions and duties, including its responsi-
7 bilities related to the federal Race to the Top program.

8 § 102. Paragraphs a and b of subdivision 2 and subdivision 17 of
9 section 3012-d of the education law, paragraphs a and b of subdivision 2
10 as added by section 2 of subpart E of part EE of chapter 56 of the laws
11 of 2015 and subdivision 17 as amended by chapter 143 of the laws of
12 2024, are amended to read as follows:

13 a. "District" shall mean school district and/or [~~board of cooperative~~
14 ~~educational services~~] NY polytechnical institute, except that for
15 purposes of subdivision eleven of this section it shall only mean a
16 school district;

17 b. "Principal" shall mean a building principal or an administrator in
18 charge of an instructional program of a [~~board of cooperative educa-~~
19 ~~tional services~~] NY polytechnical institute;

20 17. Notwithstanding any other provision of this section, for the two
21 thousand twenty-two thousand twenty-one and the two thousand twenty-
22 one--two thousand twenty-two school years, no school district or [~~board~~
23 ~~of cooperative educational services~~] NY polytechnical institute shall be
24 required to complete an annual teacher and principal evaluation required
25 by this section for any classroom teacher or building principal.

26 § 103. Subdivisions 1 and 2 of section 3013 of the education law, as
27 added by chapter 737 of the laws of 1992, are amended to read as
28 follows:

29 1. If a trustee, board of trustees, board of education or [~~board of~~
30 ~~cooperative educational services~~] NY polytechnical institute abolishes
31 an office or position and creates another office or position for the
32 performance of duties similar to those performed in the office or posi-
33 tion abolished, the person filling such office or position at the time
34 of its abolishment shall be appointed to the office or position thus
35 created without reduction in salary or increment, provided the record of
36 such person has been one of faithful, competent service in the office or
37 position [~~he or she has~~] they have filled.

38 2. Whenever a trustee, board of [~~trustee~~] trustees, board of education
39 or [~~board of cooperative educational services~~] NY polytechnical insti-
40 tute abolishes a position under this chapter, the services of the teach-
41 er having the least seniority in the system within the tenure of the
42 position abolished shall be discontinued.

43 § 104. Section 3014 of the education law, as amended by chapter 143 of
44 the laws of 2024, is amended to read as follows:

45 § 3014. Tenure: [~~boards of cooperative educational services~~] NY poly-
46 technical institutes. 1. (a) Administrative assistants, supervisors,
47 teachers and all other members of the teaching and supervising staff of
48 the [~~board of cooperative educational services~~] NY polytechnical insti-
49 tute appointed prior to July first, two thousand fifteen, shall be
50 appointed by a majority vote of the [~~board of cooperative educational~~
51 ~~services~~] NY polytechnical institute upon the recommendation of the
52 district superintendent of schools for a probationary period of not to
53 exceed three years; provided, however, that in the case of a teacher who
54 has been appointed on tenure in a school district within the state, the
55 [~~board of cooperative educational services~~] NY polytechnical institute
56 where currently employed, or another [~~board of cooperative educational~~

1 ~~services~~ NY polytechnical institute, and who was not dismissed from
2 such district or [~~board~~] institute as a result of charges brought pursu-
3 ant to subdivision one of section three thousand twenty-a of this arti-
4 cle, the probationary period shall not exceed two years. Services of a
5 person so appointed to any such positions may be discontinued at any
6 time during such probationary period, upon the recommendation of the
7 district superintendent, by a majority vote of the [~~board of cooperative~~
8 ~~educational services~~] NY polytechnical institute.

9 (b) Administrative assistants, supervisors, teachers and all other
10 members of the teaching and supervising staff of the [~~board of cooper-~~
11 ~~ative educational services~~] NY polytechnical institute appointed on or
12 after July first, two thousand fifteen, shall be appointed by a majority
13 vote of the [~~board of cooperative educational services~~] NY polytechnical
14 institute upon the recommendation of the district superintendent of
15 schools for a probationary period of not to exceed four years; provided,
16 however, that in the case of a teacher who has been appointed on tenure
17 in a school district within the state, the [~~board of cooperative educa-~~
18 ~~tional services~~] NY polytechnical institute where currently employed, or
19 another [~~board of cooperative educational services~~] NY polytechnical
20 institute, and who was not dismissed from such district or [~~board~~]
21 institute as a result of charges brought pursuant to section three thou-
22 sand twenty-a of this article, the teacher shall be appointed for a
23 probationary period of three years; and provided further that in the
24 case of a principal, administrator, supervisor, or other member of the
25 supervising staff who has been appointed on tenure pursuant to this
26 chapter as an administrator within an authorized administrative tenure
27 area in another school district within the state, the school district
28 where currently employed, or a [~~board of cooperative educational~~
29 ~~services~~] NY polytechnical institute, and who was not dismissed from
30 such district or [~~board~~] institute as a result of charges brought pursu-
31 ant to subdivision one of section three thousand twenty-a of this arti-
32 cle, the principal, administrator, supervisor, or other member of the
33 supervising staff shall be appointed for a probationary period of three
34 years. Services of a person so appointed to any such positions to which
35 this paragraph applies may be discontinued at any time during the proba-
36 tionary period, upon the recommendation of the district superintendent,
37 by a majority vote of the [~~board of cooperative educational services~~] NY
38 polytechnical institute.

39 2. (a) On or before the expiration of the probationary term of a
40 person appointed for such term prior to July first, two thousand
41 fifteen, the district superintendent of schools shall make a written
42 report to the [~~board of cooperative educational services~~] NY polytechni-
43 cal institute recommending for appointment on tenure persons who have
44 been found competent, efficient and satisfactory. Such persons shall
45 hold their respective positions during good behavior and competent and
46 efficient service and shall not be removed except for any of the follow-
47 ing causes, after a hearing, as provided by section three thousand twenty-
48 a of this article: (i) Insubordination, immoral character or conduct
49 unbecoming a teacher; (ii) Inefficiency, incompetency, or neglect of
50 duty; (iii) Failure to maintain certification as required by this chap-
51 ter and by the regulations of the commissioner. Each person who is not
52 to be so recommended for appointment on tenure shall be so notified in
53 writing by the district superintendent not later than sixty days imme-
54 diately preceding the expiration of such person's probationary period.

55 (b) On or before the expiration of the probationary term of a person
56 appointed for such term on or after July first, two thousand fifteen,

1 the district superintendent of schools shall make a written report to
2 the [~~board of cooperative educational services~~] NY polytechnical insti-
3 tute recommending for appointment on tenure persons who have been found
4 competent, efficient and satisfactory. Such persons shall hold their
5 respective positions during good behavior and competent and efficient
6 service and shall not be removed except for any of the following causes,
7 after a hearing, as provided by section three thousand twenty-a of this
8 article: (i) Insubordination, immoral character or conduct unbecoming a
9 teacher; (ii) Inefficiency, incompetency, or neglect of duty; (iii)
10 Failure to maintain certification as required by this chapter and by the
11 regulations of the commissioner. Each person who is not to be so recom-
12 mended for appointment on tenure shall be so notified in writing by the
13 district superintendent not later than sixty days immediately preceding
14 the expiration of such person's probationary period.

15 § 105. Section 3014-a of the education law, as amended by chapter 511
16 of the laws of 1998, is amended to read as follows:

17 § 3014-a. Teachers' rights as a result of a board or [~~boards of coop-~~
18 ~~erative educational services~~] NY polytechnical institutes taking over a
19 program formerly operated by a school district or districts or by a
20 county vocational education and extension board. 1. In any case in which
21 a board or [~~boards of cooperative educational services~~] NY polytechnical
22 institutes duly take over the operation of a program formerly provided
23 by a school district or school districts or by a county vocational
24 education and extension board, each teacher, teaching assistant and
25 teacher aide employed in such a program by such a school district or
26 such a county vocational education and extension board at the time of
27 such takeover by the board or [~~boards of cooperative educational~~
28 ~~services~~] NY polytechnical institutes, shall be considered an employee
29 of such board or [~~boards of cooperative educational services~~] NY poly-
30 technical institutes with the same tenure or civil service status [~~he~~]
31 they maintained in such school district or in such county vocational
32 education and extension board.

33 2. If the number of teaching positions needed to provide the services
34 required by such program by the board or [~~boards of cooperative educa-~~
35 ~~tional services~~] NY polytechnical institutes is less than the number of
36 teachers, teaching assistants and teacher aides eligible to be consid-
37 ered employees of such board or [~~boards of cooperative educational~~
38 ~~services~~] NY polytechnical institutes as provided by subdivision one of
39 this section, the services of the teachers, teaching assistants and
40 teacher aides having the least seniority in the school district or
41 school districts or county vocational education and extension board
42 whose programs are taken over by the board or [~~boards of cooperative~~
43 ~~educational services~~] NY polytechnical institutes within the tenure area
44 or civil service title of the position shall be discontinued. Such
45 teachers, teaching assistants and teacher aides shall be placed on a
46 preferred eligible list of candidates for appointment to a vacancy that
47 may thereafter occur in an office or position under the jurisdiction of
48 the board or [~~boards of cooperative educational services~~] NY polytechni-
49 cal institutes similar to the one such teacher, teaching assistant and
50 teacher aide filled in such school district or school districts or such
51 county vocational education and extension board. The teachers, teaching
52 assistants and teacher aides on such preferred list shall be reinstated
53 or appointed to such vacancies in such corresponding or similar posi-
54 tions under the jurisdiction of the board or [~~boards of cooperative~~
55 ~~educational services~~] NY polytechnical institutes in the order of their
56 length of service in such school district or school districts or in such

1 county vocational education and extension board, within seven years from
2 the date of the abolition of such office or position.

3 3. For any such teacher, teaching assistant and teacher aide as set
4 forth in subdivision one of this section for salary, sick leave and any
5 other purposes, the length of service credited in such school district
6 or in such county vocational education and extension board shall be
7 credited as employment time with such board or [~~boards of cooperative~~
8 ~~educational services~~] NY polytechnical institutes.

9 4. This section shall in no way be construed to limit the rights of
10 any of such employees set forth in this section granted by any other
11 provision of law.

12 5. Program takeovers pursuant to this section shall be considered a
13 transfer pursuant to section seventy of the civil service law.

14 § 106. Section 3014-b of the education law, as amended by chapter 511
15 of the laws of 1998, is amended to read as follows:

16 § 3014-b. Teachers' rights as a result of a school district taking
17 over a program formerly operated by a [~~board of cooperative educational~~
18 ~~services~~] NY polytechnical institute. 1. In any case in which a school
19 district duly takes over the operation of a program formerly provided by
20 a [~~board of cooperative educational services~~] NY polytechnical
21 institute, each teacher, teaching assistant and teacher aide employed in
22 such a program by such a [~~board of cooperative educational services~~] NY
23 polytechnical institute at the time of such takeover by the school
24 district shall be considered an employee of such school district, with
25 the same tenure or civil service status [~~he~~] they maintained in such
26 [~~board of cooperative educational services~~] NY polytechnical institute.

27 2. If the number of teaching positions needed to provide the services
28 required by such program by the school district is less than the number
29 of teachers, teaching assistants and teacher aides eligible to be
30 considered employees of such school district as provided by subdivision
31 one of this section, the services of the teachers, teaching assistants
32 and teacher aides having the least seniority in the [~~board of cooper-~~
33 ~~ative educational services~~] NY polytechnical institute whose programs
34 are taken over by the school district within the tenure area or civil
35 service title of the position shall be discontinued. Such teachers,
36 teaching assistants and teacher aides shall be placed on a preferred
37 eligible list of candidates for appointment to a vacancy that may there-
38 after occur in an office or position under the jurisdiction of the
39 school district similar to the one such teacher, teaching assistant and
40 teacher aide filled in such [~~board of cooperative educational services~~] NY polytechnical institute. The teachers, teaching assistants and teach-
41 er aides on such preferred list shall be reinstated or appointed to such
42 vacancies in such corresponding or similar positions under the jurisdic-
43 tion of the school district in the order of their length of service in
44 such [~~board of cooperative educational services~~] NY polytechnical insti-
45 tute, within seven years from the date of the abolition of such office
46 or position.

48 3. For any such teacher, teaching assistant and teacher aide as set
49 forth in subdivision one of this section for salary, sick leave and any
50 other purposes, the length of service credited in such [~~board of cooper-~~
51 ~~ative educational services~~] NY polytechnical institute shall be credited
52 as employment time with such school district.

53 4. In the event that more than one school district duly takes over the
54 operation of a program formerly provided by a [~~board of cooperative~~
55 ~~educational services~~] NY polytechnical institute, then each teacher,
56 teaching assistant and teacher aide employed in such program by such

1 ~~[board of cooperative educational services]~~ NY polytechnical institute
2 at the time of such takeover by more than one school district, shall
3 select the particular school district in which ~~[he]~~ they shall be
4 considered an employee, with all of the rights and privileges provided
5 by the other provisions of this section. Such selection of the partic-
6 ular school district by such teacher, teaching assistant and teacher
7 aide is to be based upon the seniority of each teacher, teaching assist-
8 ant and teacher aide in such ~~[board of cooperative educational services]~~
9 NY polytechnical institute, with the right of selection passing from
10 such teachers, teaching assistants and teacher aides with the most
11 seniority to such teachers, teaching assistants and teacher aides with
12 least seniority. Any such teacher, teaching assistant and teacher aide
13 who is unable to obtain a teaching position in any such school districts
14 because the number of positions needed to provide the services required
15 in such programs with such school districts are less than the number of
16 teachers, teaching assistants and teachers aides eligible to be consid-
17 ered employees of such school districts, shall be placed on a preferred
18 eligible list in all such school districts in the method and with all of
19 the rights provided by the other provisions of this section.

20 5. This section shall in no way be construed to limit the rights of
21 any of such employees set forth in this section granted by any other
22 provision of law.

23 § 107. Section 3019-a of the education law, as added by chapter 557 of
24 the laws of 1960, is amended to read as follows:

25 § 3019-a. Notice of termination of service by teachers. A teacher who
26 desires to terminate ~~[his]~~ their services to a school district at any
27 time, shall file a written notice thereof with the school authorities of
28 such school district or with the ~~[board of cooperative educational~~
29 services] NY polytechnical institute or county vocational education and
30 extension board at least thirty days prior to the date of such termi-
31 nation of services. School authorities ~~[or such]~~, such institutes or
32 such boards which desire to terminate the services of a teacher during
33 the probationary period shall give a written notice thereof to such
34 teacher at least thirty days prior to the effective date of such termi-
35 nation of services.

36 § 108. Subdivision 2 of section 3021-a of the education law, as added
37 by chapter 233 of the laws of 2018, is amended to read as follows:

38 2. When an accusatory instrument has been filed alleging the commis-
39 sion of a sex offense by a person known to be an employee of a school
40 district, charter school, ~~[board of cooperative educational services]~~ NY
41 polytechnical institute, private elementary or secondary school, or
42 special education schools, it is the responsibility of the district
43 attorney to immediately notify the superintendent of schools or school
44 administrator that employs such employee of the accusatory instrument
45 and the sex offense or offenses alleged therein.

46 § 109. Section 3023 of the education law, as amended by chapter 844 of
47 the laws of 1976, is amended to read as follows:

48 § 3023. Liability of a board of education, trustee, trustees or ~~[board~~
49 of cooperative educational services] NY polytechnical institute.
50 Notwithstanding any inconsistent provision of law, general, special or
51 local, or the limitation contained in the provisions of any city char-
52 ter, it shall be the duty of each board of education, trustee or trus-
53 tees, in any school district having a population of less than one
54 million, and each ~~[board of cooperative educational services]~~ NY poly-
55 technical institute established pursuant to section nineteen hundred
56 fifty of this chapter, to save harmless and protect all teachers, prac-

1 tice or cadet teachers, authorized participants in a school volunteer
2 program, and members of supervisory and administrative staff or employ-
3 ees from financial loss arising out of any claim, demand, suit or judg-
4 ment by reason of alleged negligence or other act resulting in acci-
5 dental bodily injury to any person, or accidental damage to the property
6 of any person within or without the school building, provided such
7 teacher, practice or cadet teacher, authorized participant in a school
8 volunteer program, or member of the supervisory or administrative staff
9 or employee at the time of the accident or injury was acting in the
10 discharge of [~~his~~] their duties within the scope of [~~his~~] their employ-
11 ment or authorized volunteer duties and/or under the direction of said
12 board of education, trustee, trustees or [~~board of cooperative educa-~~
13 ~~tional services~~] NY polytechnical institute; and said board of educa-
14 tion, trustee, trustees or [~~board of cooperative educational services~~]
15 NY polytechnical institute may arrange for and maintain appropriate
16 insurance with any insurance company created by or under the laws of
17 this state, or in any insurance company authorized by law to transact
18 business in this state, or such board, trustee, trustees or [~~board of~~
19 ~~cooperative educational services~~] NY polytechnical institute may elect
20 to act as self-insurers to maintain the aforesaid protection. A board
21 of education, trustee, board of trustees, or [~~board of cooperative~~
22 ~~educational services~~] NY polytechnical institute, however, shall not be
23 subject to the duty imposed by this section, unless such teacher, prac-
24 tice or cadet teacher, authorized participant in a school volunteer
25 program, or member of the supervisory and administrative staff or
26 employee shall, within ten days of the time [~~he is~~] they are served with
27 any summons, complaint, process, notice, demand or pleading, deliver the
28 original or a copy of the same to such board of education, trustee,
29 board of [~~trustes~~] trustees, or [~~board of cooperative educational~~
30 ~~services~~] NY polytechnical institute.

31 § 110. Section 3028-d of the education law, as added by chapter 118 of
32 the laws of 2006, is amended to read as follows:

33 § 3028-d. Protection of school employees who report information
34 regarding illegal or inappropriate financial practices. Any employee of
35 a school district, [~~board of cooperative educational services~~] NY poly-
36 technical institute, or charter school having reasonable cause to
37 suspect that the fiscal practices or actions of an employee or officer
38 of a school district, charter school, or [~~board of cooperative educa-~~
39 ~~tional services~~] NY polytechnical institute, violate any local, state,
40 federal law or rule and regulation, relating to the financial practices
41 of such entity and who in good faith reports such information to an
42 official of such school district, [~~board of cooperative educational~~
43 ~~services~~] NY polytechnical institute or charter school, or to the office
44 of the state comptroller, the commissioner or to law enforcement author-
45 ities, shall have immunity from any civil liability that may arise from
46 the making of such report, and no school district, or employee or offi-
47 cer thereof, charter school, or employee or officer thereof, or [~~board~~
48 ~~of cooperative educational services~~] NY polytechnical institute, or
49 employee or officer thereof, shall take, request, or cause a retaliatory
50 action against any such employee who makes such report.

51 § 111. Section 3031 of the education law, as amended by chapter 691 of
52 the laws of 1993, is amended to read as follows:

53 § 3031. Procedure when tenure not to be granted at conclusion of
54 probationary period or when services to be discontinued. Notwithstanding
55 any other provision of this chapter: (a) boards of education, trustees
56 of common school districts and [~~boards of cooperative educational~~

1 ~~services~~] NY polytechnical institutes shall review all recommendations
2 not to appoint a person on tenure, and, teachers, administrators and
3 supervisors employed on probation by any school district or by any
4 ~~[board of cooperative educational services]~~ NY polytechnical institute,
5 as to whom a recommendation is to be made that appointment on tenure not
6 be granted or that their services be discontinued shall, at least thirty
7 days prior to the board meeting at which such recommendation is to be
8 considered, be notified of such intended recommendation and the date of
9 the board meeting at which it is to be considered. Such teacher, admin-
10 istrator and supervisor may, not later than twenty-one days prior to
11 such meeting, request in writing that ~~[he be]~~ they are furnished with a
12 written statement giving the reasons for such recommendation and within
13 seven days thereafter such written statement shall be furnished. Such
14 teacher, administrator and supervisor may file a written response to
15 such statement with the district clerk not later than seven days prior
16 to the date of the board meeting.

17 (b) Where a board of education, trustees of a common school district,
18 or ~~[board of cooperative educational services]~~ NY polytechnical insti-
19 tute votes to reject the recommendation of a superintendent of schools,
20 district superintendent or district principal to grant tenure to any
21 teacher, administrator and supervisor employed on probation, such vote
22 shall be considered advisory and at least thirty days prior to the board
23 meeting at which such recommendation is to be finally considered, the
24 board shall notify said teacher, administrator and supervisor of its
25 intention to deny tenure and the date of the board meeting at which it
26 will take final action. Such teacher, administrator and supervisor may,
27 not later than twenty-one days prior to such meeting, request in writing
28 that ~~[he be]~~ they are furnished with a written statement giving the
29 board's reasons for such intended action and within seven days thereaft-
30 er such written statement should be furnished. Such teacher, administra-
31 tor and supervisor may file a written response to such statement with
32 the district clerk not later than seven days prior to the date of the
33 board meeting.

34 (c) This section shall not be construed as modifying existing law with
35 respect to the rights of probationary teachers or the powers and duties
36 of boards of education, trustees of common school districts or ~~[boards~~
37 ~~of cooperative educational services]~~ NY polytechnical institutes, with
38 respect to the discontinuance of services of teachers, administrators
39 and supervisors or appointments on tenure of teachers, administrators
40 and supervisors.

41 § 112. Paragraph (b) of subdivision 1, subdivision 2, and paragraphs
42 (a) and (b) of subdivision 3 of section 3032 of the education law, para-
43 graph (b) of subdivision 1 and paragraph (a) of subdivision 3 as amended
44 by chapter 301 of the laws of 1996, subdivision 2 as amended by chapter
45 683 of the laws of 1986 and paragraph (b) of subdivision 3 as added by
46 chapter 933 of the laws of 1984, are amended to read as follows:

47 (b) "Local education agencies" for the purposes of this section means
48 school districts, ~~[boards of cooperative educational services]~~ NY poly-
49 technical institutes, community colleges, agricultural and technical
50 colleges, state university of New York college of technology and centers
51 for advanced technology designated pursuant to section three thousand
52 one hundred two-a of the public authorities law, and other postsecondary
53 providers of career education as set forth annually by the commissioner
54 as eligible recipients under the federal vocational education act of
55 nineteen hundred eighty-four.

2. Allocations. The commissioner shall allocate the lesser of forty thousand dollars or one percent of the total appropriation for the purposes of this section to each region for administering and conducting employer specific skill training and employment programs and the remainder of such appropriation shall be allocated to each region for the administration and support of teacher summer business training and employment programs based on the proportion of the base year full time teachers in the public schools of all school districts and [~~boards of cooperative educational services~~] NY polytechnical institutes within the region to the total of such teachers in the state, provided however, that each region shall receive at least five percent of the allocation for such purposes and provided further that the cost due to such five percent allowance shall be proportionally borne by the regions not so affected. Use of funds for administration of the summer business training and employment programs shall not exceed six percent of the allocation to a region.

(a) In any case in which a business or industry within the state shall employ during the months of July and August a teacher of mathematics, chemistry, biology, earth science, physics, computer science, career education or an elementary specialist in the area of mathematics or science or commencing July first, nineteen hundred eighty-five, a teacher of other subject areas as the commissioner may deem appropriate, the state will assist employers with costs associated with approved work experience for such teachers. Such business or industry shall request that the chief administrative officer of the school district or [~~board of cooperative educational services~~] NY polytechnical institute employing such teacher during the same school year as such business or industry employment occurs, certify to the commissioner that the summer work experience involved will directly benefit the individual's effectiveness as a teacher of mathematics, chemistry, biology, earth science, physics, computer science, career education, or other subject areas as the commissioner may deem appropriate. If such chief administrative officer so certifies, then such officer shall also file the request with the local education agency designated by the commissioner for pre-approval for funding under this program in the applicable region. The commissioner shall not approve any requests for approval that would result in the maximum allocation for the applicable region being exceeded. No approval shall be given except for the lesser of thirty per centum of the total employment cost or one thousand dollars per employed teacher. The remainder of such costs shall be borne by the business employer involved. Participation in this program shall be at the option of each school district or [~~board of cooperative educational services~~] NY polytechnical institute.

(b) Such requests for pre-approval and certifications shall be on a form prescribed by the commissioner. Such form shall include but not be limited to certification of the employer regarding work to be performed by the teacher, wages, hours, and the certification of the chief administrative officer of the school district or [~~board of cooperative educational services~~] NY polytechnical institute as the case may be, as prescribed in this subdivision.

§ 113. Section 3033 of the education law, as amended by chapter 886 of the laws of 1986, subdivisions 2, 4, and 5 as amended by section 117-b of part A of chapter 436 of the laws of 1997 and subdivision 3 as amended by chapter 748 of the laws of 1987, is amended to read as follows:

1 § 3033. New York state mentor teacher-internship program. 1. Boards
2 of education and [~~boards of cooperative educational services~~] NY poly-
3 technical institutes are hereby authorized to participate in the New
4 York state mentor teacher-internship program in accordance with the
5 provisions of this section.

6 2. Each board of education or [~~board of cooperative educational~~
7 ~~services~~] NY polytechnical institute which applies for funds under this
8 section shall prepare a plan for implementation of a mentor teacher-in-
9 ternship program consistent with article fourteen of the civil service
10 law. The plan shall be developed in accordance with this section and
11 regulations of the commissioner. The board of education or [~~board of~~
12 ~~cooperative educational services~~] NY polytechnical institute shall
13 submit an application and plan by May first of the current year for
14 approval by the commissioner; provided however for the nineteen hundred
15 ninety-seven--ninety-eight school year, such plan may be submitted by
16 November first, nineteen hundred ninety-seven.

17 3. Each board of education and [~~board of cooperative educational~~
18 ~~services~~] NY polytechnical institute which determines to participate in
19 the program shall select persons eligible to serve as mentor teachers
20 from a list of persons who have demonstrated their mastery of pedagog-
21 ical and subject matter skills, given evidence of superior teaching
22 abilities and interpersonal relationship qualities, and who have indi-
23 cated their willingness to participate in such program. Such list of
24 persons eligible to serve as mentor teachers shall be developed by a
25 selection committee composed of certified or licensed personnel employed
26 by the school district or the [~~board of cooperative educational~~
27 ~~services~~] NY polytechnical institute, a majority of whom shall be class-
28 room teachers chosen by the certified or recognized teachers employee
29 organization. The assignment of particular mentor teachers and teacher
30 interns to work together shall be made by the superintendent of the
31 participating district or district superintendent of the participating
32 [~~board of cooperative educational services~~] NY polytechnical institute.
33 Each person designated as a mentor teacher shall continue to provide
34 classroom instruction for at least sixty percent of the time spent in
35 performance of such individual's duties during the school year or such
36 person may so serve on a full-time basis for not more than two school
37 years out of five consecutive school years, provided that such service
38 as a mentor teacher shall not diminish or impair the tenure and senior-
39 ity rights of the mentor teacher.

40 4. Each board of education and [~~board of cooperative educational~~
41 ~~services~~] NY polytechnical institute which determines to participate in
42 the mentor teacher-internship program shall require those first or
43 second year eligible teachers which it chooses to include in the program
44 to perform their duties under the guidance of a mentor teacher, and
45 shall ensure that such teacher intern and mentor carry no more than a
46 ninety percent classroom instruction assignment in order to allow such
47 teacher intern time to receive special assistance from a mentor teacher.
48 In order to participate as a teacher intern in a mentor teacher-intern-
49 ship program, a first or second year teacher shall hold a provisional or
50 permanent teaching certificate, temporary emergency license, regular
51 license, or temporary per diem certificate for a field in which no
52 licensed person is available to teach and shall not have participated in
53 such program in the previous year.

54 5. A school district or [~~board of cooperative educational services~~] NY
55 polytechnical institute participating in an approved mentor teacher-in-
56 ternship program in the current year shall be eligible for aid including

1 but not limited to costs related to release time of the intern and
2 mentor teacher up to ten percent of the mentor teacher's salary and up
3 to ten percent of the teacher intern's salary respectively in accordance
4 with the provisions of this subdivision. To receive such assistance, a
5 school district or [~~board of cooperative educational services~~] NY poly-
6 technical institute must file a claim with the commissioner by October
7 first of the current school year in a form prescribed by the commission-
8 er which shall include the actual salary of each program participant as
9 of September fifteenth of such year. The commissioner shall pay one-half
10 of the amount of such assistance by January fifteenth of each year and
11 shall pay the remaining amount based upon a final report filed by the
12 school district by August fifteenth of each year.

13 6. Each board of education and [~~board of cooperative educational~~
14 ~~services~~] NY polytechnical institute which participates in the program
15 shall file a report with the commissioner on or before August first of
16 each school year concerning compliance with the requirements of the
17 program during the preceding school year. Such report shall be in such
18 form and in such manner as the commissioner may require. The commission-
19 er shall evaluate such programs and file a report with the legislature
20 on or before December first, nineteen hundred eighty-seven.

21 § 114. Subdivisions 1 and 3 of section 3035 of the education law, as
22 amended by chapter 630 of the laws of 2006, are amended to read as
23 follows:

24 1. The commissioner shall submit to the division of criminal justice
25 services two sets of fingerprints of prospective employees as defined in
26 subdivision three of section eleven hundred twenty-five of this chapter
27 received from a school district, charter school or [~~board of cooperative~~
28 ~~educational services~~] NY polytechnical institute and of prospective
29 employees received from nonpublic and private elementary and secondary
30 schools pursuant to title two of this chapter, and the division of crim-
31 inal justice services processing fee imposed pursuant to subdivision
32 eight-a of section eight hundred thirty-seven of the executive law and
33 any fee imposed by the federal bureau of investigation. The division of
34 criminal justice services and the federal bureau of investigation shall
35 forward such criminal history record to the commissioner in a timely
36 manner. For the purposes of this section, the term "criminal history
37 record" shall mean a record of all convictions of crimes and any pending
38 criminal charges maintained on an individual by the division of criminal
39 justice services and the federal bureau of investigation. All such crim-
40 inal history records sent to the commissioner pursuant to this subdivi-
41 sion shall be confidential pursuant to the applicable federal and state
42 laws, rules and regulations, and shall not be published or in any way
43 disclosed to persons other than the commissioner, unless otherwise
44 authorized by law.

45 3. (a) Clearance. After receipt of a criminal history record from the
46 division of criminal justice services and the federal bureau of investi-
47 gation the commissioner shall promptly notify the appropriate school
48 district, charter school, [~~board of cooperative educational services~~] NY
49 polytechnical institute, or nonpublic or private elementary or secondary
50 school whether the prospective employee to which such report relates is
51 cleared for employment based upon [~~his or her~~] their criminal history.
52 All determinations to grant or deny clearance for employment pursuant to
53 this paragraph shall be performed in accordance with subdivision sixteen
54 of section two hundred ninety-six of the executive law and article twen-
55 ty-three-A of the correction law. When the commissioner denies a
56 prospective employee clearance for employment, such prospective employee

1 shall be afforded notice and the right to be heard and offer proof in
2 opposition to such determination in accordance with the regulations of
3 the commissioner.

4 (b) Conditional clearance. When the commissioner receives a request
5 for a determination on the conditional clearance of a prospective
6 employee, the commissioner, after receipt of a criminal history record
7 from the division of criminal justice services, shall promptly notify
8 the prospective employee and the appropriate school district, charter
9 school, [~~board of cooperative educational services~~] NY polytechnical
10 institute, or nonpublic or private elementary or secondary school that
11 the prospective employee to which such report relates is conditionally
12 cleared for employment based upon [~~his or her~~] their criminal history or
13 that more time is needed to make the determination. If the commissioner
14 determines that more time is needed, the notification shall include a
15 good faith estimate of the amount of additional time needed. Such
16 notification shall be made within fifteen business days after the
17 commissioner receives the prospective employee's fingerprints. All
18 determinations to grant or deny conditional clearance for employment
19 pursuant to this paragraph shall be performed in accordance with subdi-
20 vision sixteen of section two hundred ninety-six of the executive law
21 and article twenty-three-A of the correction law.

22 § 115. Intentionally omitted.

23 § 116. Section 3038 of the education law, as added by chapter 323 of
24 the laws of 2018, is amended to read as follows:

25 § 3038. Designated person to provide certain information on services.
26 The superintendent of each school district, in consultation with the
27 district superintendent of a [~~board of cooperative educational services~~]
28 NY polytechnical institute, where applicable, shall designate an employ-
29 ee who is a member of the school district staff or an employee of the
30 [~~board of cooperative educational services~~] NY polytechnical institute
31 staff to provide information to any student, parent, or staff regarding
32 where and how to find available substance use related services. Where
33 possible, such designated individual shall be a school social worker,
34 school guidance counselor, or any other health practitioner or counselor
35 employed by the school. Any information provided by a student, parent or
36 teacher to such designated individual shall be confidential, shall not
37 be used in any school disciplinary proceeding and shall, in addition to
38 any other applicable privilege, be considered confidential in the same
39 manner as information provided pursuant to section forty-five hundred
40 eight of the civil practice law and rules. Provided, however, that noth-
41 ing in this section shall relieve such designated individual of any
42 legal duty to otherwise report such information. Such designated indi-
43 vidual or individuals shall undergo any necessary training as may be
44 required by the commissioner.

45 § 117. Section 3109 of the education law, as amended by chapter 463 of
46 the laws of 1983, is amended to read as follows:

47 § 3109. Reduction of salaries for purchase of annuities. Each board
48 of education, trustee or trustees in any school district, and each
49 [~~board of cooperative educational services~~] NY polytechnical institute
50 or county vocational education and extension board, in its discretion,
51 may enter into a written agreement with any employee of such school
52 district, institute or board to reduce the annual salary as otherwise
53 payable by law of such employee for the purpose of purchasing an annuity
54 or investing in a custodial account as permitted under section 403(b) of
55 the United States Internal Revenue Code, as amended, for such employee.
56 Any such agreement may be terminated at any time upon written notice by

1 either such employee or such school district, institute or board. Noth-
2 ing contained in this section shall be construed to diminish or impair
3 any benefits to which such employee or ~~[his]~~ their legal representatives
4 or beneficiaries would be otherwise entitled had such salary reduction
5 agreement not been entered into in accordance with the provisions of
6 this section.

7 § 118. Subdivisions 1, 6-a and paragraphs a and e of subdivision 7 of
8 section 3202 of the education law, subdivision 1 as amended by section
9 47 of part PP of chapter 56 of the laws of 2022, subdivision 6-a as
10 amended by section 2 of part J of chapter 56 of the laws of 2015, para-
11 graph a of subdivision 7 as amended by chapter 564 of the laws of 2001,
12 and paragraph e of subdivision 7 as added by chapter 683 of the laws of
13 1986, are amended to read as follows:

14 1. A person over five and under twenty-one years of age who has not
15 received a high school diploma is entitled to attend the public schools
16 maintained in the district in which such person resides without the
17 payment of tuition. Provided further that such person may continue to
18 attend the public school in such district in the same manner, if tempo-
19 rarily residing outside the boundaries of the district when relocation
20 to such temporary residence is a consequence of such person's parent or
21 person in parental relationship being called to active military duty,
22 other than training. Notwithstanding any other provision of law to the
23 contrary, the school district shall not be required to provide transpor-
24 tation between a temporary residence located outside of the school
25 district and the school the child attends. A veteran of any age who
26 shall have served as a member of the armed forces of the United States
27 and who (a) shall have been discharged therefrom under conditions other
28 than dishonorable, or (b) has a qualifying condition, as defined in
29 section one of the veterans' services law, and has received a discharge
30 other than bad conduct or dishonorable from such service, or (c) is a
31 discharged LGBT veteran, as defined in section one of the veterans'
32 services law, and has received a discharge other than bad conduct or
33 dishonorable from such service, may attend any of the public schools of
34 the state upon conditions prescribed by the board of education, and such
35 veterans shall be included in the pupil count for state aid purposes. A
36 nonveteran under twenty-one years of age who has received a high school
37 diploma shall be permitted to attend classes in the schools of the
38 district in which such person resides or in a school of a ~~[board of~~
39 ~~cooperative educational services]~~ NY polytechnical institute upon
40 payment of tuition under such terms and conditions as shall be estab-
41 lished in regulations promulgated by the commissioner; provided, howev-
42 er, that a school district may waive the payment of tuition for such
43 nonveteran, but in any case such a nonveteran who has received a high
44 school diploma shall not be counted for any state aid purposes. Nothing
45 herein contained shall, however, require a board of education to admit a
46 child who becomes five years of age after the school year has commenced
47 unless ~~[his or her]~~ their birthday occurs on or before the first of
48 December.

49 6-a. Notwithstanding subdivision six of this section or any other law
50 to the contrary, the commissioner of the office of children and family
51 services shall be responsible for the secular education of youth under
52 the jurisdiction of the office and may contract for such education with
53 the trustees or board of education of the school district wherein a
54 facility for the residential care of such youth is located or with the
55 ~~[board of cooperative educational services]~~ NY polytechnical institute
56 at which any such school district is a component district for special

1 education programs, related services and career and technical education
2 services and music, art and foreign language programs in accordance with
3 subparagraph eight of paragraph (h) of subdivision four of section nine-
4 teen hundred fifty of this chapter. A youth attending a local public
5 school while in residence at such facility shall be deemed a resident of
6 the school district where ~~[his]~~ their parent or guardian resides at the
7 commencement of each school year for the purpose of determining which
8 school district shall be responsible for the youth's tuition pursuant to
9 section five hundred four of the executive law.

10 a. A person under twenty-one years of age who has not received a high
11 school diploma and who is incarcerated in a correctional facility main-
12 tained by a county or by the city of New York or in a youth shelter is
13 eligible for educational services pursuant to this subdivision and in
14 accordance with the regulations of the commissioner. Such services shall
15 be provided by the school district in which the facility or youth shel-
16 ter is located, within the limits of the funds allocated by the commis-
17 sioner for such purposes pursuant to section thirty-six hundred two of
18 this chapter and pursuant to a plan approved by the commissioner.
19 School districts shall submit such plan by July fifteenth of each school
20 year. Boards of education are authorized to contract for the provision
21 of such educational services by a ~~[board of cooperative educational~~
22 ~~services]~~ NY polytechnical institute or by another public school
23 district.

24 e. The state commission of correction shall promulgate rules and regu-
25 lations in consultation with the commissioner which shall require each
26 correctional facility operated by a county or the city of New York to
27 cooperate with the school district or ~~[board of cooperative educational~~
28 ~~services]~~ NY polytechnical institute providing educational services and
29 to comply with the requirements of this subdivision.

30 § 119. Paragraph 2 of subdivision 2-a of section 3204 of the education
31 law, as added by chapter 827 of the laws of 1982, is amended to read as
32 follows:

33 2. The board of education of each school district receiving such funds
34 shall provide a program of bilingual education or English as a second
35 language for eligible pupils and may contract with a ~~[board of cooper-~~
36 ~~ative educational services]~~ NY polytechnical institute or another school
37 district to provide such program, provided that in a city having a popu-
38 lation of one million or more, the community school boards shall provide
39 such program in the schools within their jurisdiction.

40 § 120. Subdivision 4-a of section 3208 of the education law, as added
41 by chapter 352 of the laws of 2005, is amended to read as follows:

42 4-a. Officers or employees of the state, a school district, a ~~[board~~
43 ~~of cooperative educational services]~~ NY polytechnical institute, a char-
44 ter school, an approved private school for the education of students
45 with disabilities approved pursuant to paragraph e, f, g or h of subdivi-
46 sion two of section forty-four hundred one of this chapter, an
47 approved provider of preschool special education approved pursuant to
48 section forty-four hundred ten of this chapter or a state-supported
49 school operating pursuant to article forty-five of this chapter, shall
50 be prohibited from requiring a child who is entitled to attend school
51 pursuant to subdivision one of section thirty-two hundred two of this
52 part to obtain a prescription for a substance covered by the federal
53 controlled substances act, section eight hundred one of title twenty-one
54 of the United States code, et seq., as a condition of attending school,
55 receiving an evaluation or reevaluation pursuant to article eighty-nine

1 of this chapter or any other provision of law relating to students with
2 disabilities or receiving special education programs or services.

3 § 121. Paragraphs a and b of subdivision 4 of section 3209 of the
4 education law, as amended by section 1 of part C of chapter 56 of the
5 laws of 2017, are amended to read as follows:

6 a. A social services district shall provide for the transportation of
7 each homeless child, including those in preschool and students with
8 disabilities identified pursuant to sections forty-four hundred one and
9 forty-four hundred two of this chapter whose individualized education
10 programs include special transportation services, who is eligible for
11 benefits pursuant to section three hundred fifty-j of the social
12 services law, to and from a temporary housing location in which the
13 child was placed by the social services district and the school attended
14 by such child pursuant to this section, if such temporary housing facil-
15 ity is located outside of the designated school district pursuant to
16 paragraph a of subdivision two of this section. A social services
17 district shall be authorized to contract with a board of education or a
18 ~~[board of cooperative educational services]~~ NY polytechnical institute
19 for the provision of such transportation. Where the social services
20 district requests that the designated school district of attendance
21 provide or arrange for transportation for a homeless child eligible for
22 transportation pursuant to this paragraph, the designated school
23 district of attendance shall provide or arrange for the transportation
24 and the social services district shall fully and promptly reimburse the
25 designated school district of attendance for the cost as determined by
26 the designated school district. This paragraph shall apply to placements
27 made by a social services district without regard to whether a payment
28 is made by the district to the operator of the temporary housing facili-
29 ty.

30 b. The designated school district of attendance shall provide for the
31 transportation of each homeless child who is living in a residential
32 program for runaway and homeless youth established pursuant to article
33 nineteen-H of the executive law, to and from such residential program,
34 and the school attended by such child pursuant to this section, if such
35 temporary housing location is located outside the designated school
36 district. The designated district of attendance shall be authorized to
37 contract with a ~~[board of cooperative educational services]~~ NY polytech-
38 nical institute or a residential program for runaway and homeless youth
39 for the provision of such transportation. The department shall reimburse
40 the designated school district of attendance for the cost of transport-
41 ing such child to and from the residential program and the school
42 attended by such child to the extent funds are provided for such
43 purpose, as determined by the director of the budget.

44 § 122. Subdivision 1 of section 3215-a of the education law, as
45 amended by chapter 197 of the laws of 1992, is amended to read as
46 follows:

47 1. Certificating officials. Employment certificates or permits shall
48 be issued by the chancellor in the city school district of the city of
49 New York, and by the superintendent of schools in other school
50 districts, provided that the district superintendent of schools may
51 issue such certificates or permits for students attending classes oper-
52 ated by a ~~[board of cooperative educational services]~~ NY polytechnical
53 institute, and the principal of a nonpublic secondary school may issue
54 such certificates or permits for students attending such school. The
55 chancellor in New York city, or elsewhere the superintendent of schools
56 or district superintendent of schools may designate in writing the prin-

1 cipal of the public school the minor attends or last attended or other
2 public school official to act as certificating official in ~~his~~ their
3 stead. During the months of July and August, and at other times in
4 extraordinary circumstances and emergencies, one or more public school
5 officials shall be designated in writing by the chancellor in New York
6 city and elsewhere by the superintendent or district superintendent to
7 act as certificating officials. The designation or authorization of
8 certificating officials in public schools shall be subject to such limi-
9 tations or standards as may be prescribed by the chancellor in New York
10 city and elsewhere by the superintendent or district superintendent.

11 § 123. Section 3242 of the education law, as amended by section 3 of
12 part A of chapter 57 of the laws of 2013, is amended to read as follows:

13 § 3242. School census in school districts. The trustees or board of
14 education of every school district may cause a census to be taken of all
15 children between birth and eighteen years of age, including all such
16 facts and information as are required in the census provided for in
17 section thirty-two hundred forty-one of this part. Such census shall be
18 prepared biennially for children between ages five and eighteen who are
19 entitled to attend the public schools without payment of tuition in
20 duplicate in their respective school districts, and one copy thereof
21 filed with the teacher or principal and the other copy filed with the
22 district superintendent or superintendent on or before the fifteenth day
23 of October. For pre-school students from birth to five years of age,
24 such census may be prepared and filed biennially on or before the
25 fifteenth day of October. Such census shall include the reports and
26 information required from cities as provided in section thirty-two
27 hundred forty-one of this part. All information regarding a student with
28 a disability under the age of twenty-one years shall be filed annually
29 with the superintendent of the ~~[board of cooperative educational~~
30 ~~services]~~ NY polytechnical institute of which said district may be a
31 part.

32 § 124. Subdivision 1 of section 3305 of the education law, as added by
33 section 1 of part A of chapter 328 of the laws of 2014, is amended to
34 read as follows:

35 1. When the student transfers before or during the school year, the
36 receiving state school shall initially honor placement of the student in
37 educational courses based on the student's enrollment in the sending
38 state school and/or educational assessments conducted at the school in
39 the sending state if the courses are offered and there is space avail-
40 able as determined by the local educational agency. Course placement
41 includes but is not limited to honors, international baccalaureate,
42 advanced placement, vocational, technical and career pathways courses.
43 Where the local educational agency contracts with a ~~[board of cooper-~~
44 ~~ative educational services]~~ NY polytechnical institute to deliver such
45 courses, the local educational agency and the ~~[board of cooperative~~
46 ~~educational services]~~ NY polytechnical institute shall arrange to enroll
47 the student in the applicable ~~[board of cooperative educational~~
48 ~~services]~~ NY polytechnical institute program where there is space avail-
49 able. Continuing the student's academic program from the previous school
50 and promoting placement in academically and career challenging courses
51 should be paramount when considering placement. This does not preclude
52 the school in the receiving state from performing subsequent evaluations
53 to ensure appropriate placement and continued enrollment of the student
54 in the courses.

§ 125. Subdivision 1 of section 3308 of the education law, as amended by section 5 of part PP of chapter 56 of the laws of 2022, is amended to read as follows:

1. Each member state shall, through the creation of a state council or use of an existing body or board, provide for the coordination among its agencies of government, local educational agencies and military installations concerning the state's participation in, and compliance with, this compact and interstate commission activities. In New York, the state council shall include the commissioner or ~~[his or her]~~ their designee, the commissioner of the New York state department of veterans' services or ~~[his or her]~~ their designee, the adjutant general of the state of New York or ~~[his or her]~~ their designee, a superintendent of a school district with a high concentration of military children appointed by the commissioner, a district superintendent of schools of a ~~[board of cooperative educational services]~~ NY polytechnical institute serving an area with a high concentration of military children appointed by the commissioner, a representative from a military installation appointed by the governor, a representative of military families appointed by the governor, a public member appointed by the governor and one representative each appointed by the speaker of the assembly, the temporary president of the senate and the governor.

§ 126. Intentionally omitted.

§ 127. Section 3601 of the education law, as amended by section 4-a of part A-1 of chapter 58 of the laws of 2006 and as further amended by subdivision (d) of section 1 of part W of chapter 56 of the laws of 2010, is amended to read as follows:

§ 3601. When apportioned and how applied. The amount annually appropriated by the legislature for general support for public schools, net of disallowances, refunds, reimbursements and credits, shall be apportioned by the commissioner each year prior to the dates of the respective final payments provided by law and all moneys so apportioned shall be applied exclusively to school purposes authorized by law. General state aid claims, on forms prescribed by the commissioner, shall be submitted to the commissioner by September second of each school year, except that the audit report required by subdivision three of section twenty-one hundred sixteen-a of this chapter shall be submitted to the commissioner by October fifteenth following the close of the school year audited for all districts other than the city school districts of the cities of Buffalo, Rochester, Syracuse, Yonkers and New York and by January first following the close of the school year audited for such city school districts. No aid shall be paid to a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute prior to the submission of claims as required by the commissioner, except that no aid certified as payable to a school district by the commissioner of taxation and finance pursuant to paragraph (c) of subdivision three of section thirteen hundred six-a of the real property tax law shall be withheld due to the failure of the school district to submit general state aid claims required by the commissioner, and except that no aids shall be withheld due to the failure of a school district to submit the audit report required by subdivision three of section twenty-one hundred sixteen-a of this chapter until the thirtieth day following the due date specified in this section for such report.

§ 128. The opening paragraph of section 3602 of the education law, as amended by section 11 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

1 Notwithstanding any other provisions of this chapter or any other
2 provisions of law, each school district of the state employing eight or
3 more teachers shall receive its apportionment of public money payable
4 during the school year commencing July first, nineteen hundred ninety-
5 three and during subsequent school years pursuant to the provisions of
6 this section and in lieu of any apportionments or payments otherwise
7 payable under any other section of this chapter except any such appor-
8 tionments or payments that may be payable to such district for school
9 lunches, for textbooks, school library materials, computer hardware or
10 computer software, for services or programs provided by a [~~board of~~
11 ~~cooperative educational services~~] NY polytechnical institute or by a
12 county vocational education and extension board for such district, for
13 the education of Indian children of a reservation under a contract with
14 the state, by virtue of chapter six hundred thirty-five of the laws of
15 nineteen hundred sixty-one, for school tax relief aid, or for exper-
16 imental or special programs in selected school districts, including but
17 not limited to special apportionments and grants-in-aid pursuant to
18 section thirty-six hundred forty-one of this article.

19 § 129. Subparagraph 1 of paragraph d, subparagraph 1 of paragraph i,
20 subparagraph 4 of paragraph n, subparagraph 7 of paragraph t, and para-
21 graphs dd and ff of subdivision 1 of section 3602 of the education law,
22 subparagraph 1 of paragraph d, subparagraph 1 of paragraph i, and
23 subparagraph 4 of paragraph n as amended by section 11 of part B of
24 chapter 57 of the laws of 2007, subparagraph 7 of paragraph t as amended
25 by section 2 of part D of chapter 25 of the laws of 2009, paragraph dd
26 as amended by section 5 of part A of chapter 57 of the laws of 2012, and
27 paragraph ff as added by section 25 of part A of chapter 58 of the laws
28 of 2011, are amended to read as follows:

29 (1) Equivalent attendance shall mean the quotient of the total number
30 of student hours of instruction in programs in a public school of a
31 school district or a [~~board of cooperative educational services~~] NY
32 polytechnical institute leading to a high school diploma or a high
33 school equivalency diploma as defined in regulations of the commissioner
34 for pupils under the age of twenty-one not on a regular day school
35 register of the district, divided by one thousand. Average daily attend-
36 ance shall include the equivalent attendance of the school district. For
37 the purposes of secondary school weighting, such equivalent attendance
38 shall be considered as average daily attendance in grades seven through
39 twelve.

40 (1) "Pupils with disabilities" shall mean pupils of school age who are
41 identified as students with disabilities pursuant to article eighty-nine
42 of this chapter and the regulations of the commissioner and who receive
43 special education services or attend special education programs which
44 meet criteria established by the commissioner, operated by a school
45 district eligible for total foundation aid pursuant to this section or
46 by a [~~board of cooperative educational services~~] NY polytechnical insti-
47 tute, whether or not the school district is a component of such [~~board~~]
48 institute.

49 (4) "Resident public school district enrollment" shall be the public
50 school district enrollment less the public school district enrollment of
51 nonresident pupils attending public schools in the district, plus the
52 public school district enrollment of pupils resident in the district but
53 attending public schools in another district or state plus the public
54 school district enrollment of pupils resident in the district but
55 attending full-time a school operated by a [~~board of cooperative educa-~~
56 ~~tional services~~] NY polytechnical institute or a county vocational

1 education and extension board. Indian pupils who are residents of any
2 portion of a reservation located wholly or partly within the borders of
3 the state pursuant to subdivision four of section forty-one hundred one
4 of this chapter and are attending public school, or pupils living on the
5 United States military reservation at West Point attending public
6 school, shall be deemed to be resident pupils of the district providing
7 such school, for purposes of this paragraph. Where a school district has
8 entered into a contract with the state university pursuant to subdivi-
9 sion two of section three hundred fifty-five of this chapter under which
10 the school district makes payments in the nature of tuition for the
11 education of certain children residing in the district, such children
12 for whom such tuition payments are made shall be deemed to be resident
13 pupils of such district for the purposes of this paragraph. No student
14 shall be counted more than once, except that, in determining the resi-
15 dent public school district enrollment of a component school district of
16 a central high school district the resident public school district
17 enrollment of high school pupils residing in such component district and
18 attending the central high school shall be included, and in determining
19 the resident public school district enrollment of a central high school
20 district the resident public school district enrollment of elementary
21 school pupils residing in such central high school district and attend-
22 ing a component district of the central high school district shall be
23 included.

24 (7) any payments made to [~~boards of cooperative educational services~~]
25 NY polytechnical institutes for purposes or programs for which an appor-
26 tionment is paid pursuant to other sections of this chapter, except that
27 payments attributable to eligible pupils with disabilities and ineligi-
28 ble pupils residing in noncomponent districts shall be included in oper-
29 ating expense;

30 dd. "Allowable growth amount" shall mean the product of the positive
31 difference of the personal income growth index minus one, multiplied by
32 the statewide total of the sum of (1) the apportionments, including the
33 gap elimination adjustment, due and owing during the base year, commenc-
34 ing with the base year computed for the two thousand twelve--two thou-
35 sand thirteen school year, to school districts and [~~boards of cooper-~~
36 ~~ative educational services~~] NY polytechnical institutes from the general
37 support for public schools as computed based on an electronic data file
38 used to produce the school aid computer listing produced by the commis-
39 sioner in support of the enacted budget for the base year plus (2) the
40 competitive awards amount for the base year.

41 ff. "Preliminary growth amount" shall mean the difference between the
42 statewide total, excluding the apportionments computed pursuant to
43 subdivisions four and seventeen of section thirty-six hundred two of the
44 education law, of the apportionments due and owing during the current
45 school year, commencing with the two thousand twelve--two thousand thir-
46 teen school year, to school districts and [~~boards of cooperative educa-~~
47 ~~tional services~~] NY polytechnical institutes from the general support
48 for public schools as computed based on an electronic data file used to
49 produce the school aid computer listing produced by the commissioner in
50 support of the enacted budget for the current year, less the statewide
51 total of such apportionments, excluding the apportionments computed
52 pursuant to subdivisions four and seventeen of this section [~~thirty six~~
53 ~~hundred two of the education law~~], due and owing during the base school
54 year to school districts and [~~boards of cooperative educational~~
55 ~~services~~] NY polytechnical institutes from the general support for
56 public schools as computed based on an electronic data file used to

1 produce the school aid computer listing produced by the commissioner in
2 support of the enacted budget for the current year.

3 § 130. Subparagraph 4 of paragraph a, subparagraph 1 of paragraph f,
4 and subparagraph 1 of paragraph h of subdivision 2 of section 3602 of
5 the education law, subparagraph 4 of paragraph a as amended and subpara-
6 graph 1 of paragraph h as added by section 13 of part B of chapter 57 of
7 the laws of 2007, subparagraph 1 of paragraph f as amended by section 12
8 of part B of chapter 57 of the laws of 2008, are amended to read as
9 follows:

10 (4) Resident weighted average daily attendance for purposes of deter-
11 mining the aid ratio of a school district for any school year shall be
12 the weighted average daily attendance for the school year immediately
13 preceding the base year, less the weighted average daily attendance of
14 nonresident pupils attending public schools in the district for such
15 school year, plus the weighted average daily attendance of pupils resi-
16 dent in the district but attending public schools in another district or
17 state plus the weighted average daily attendance of pupils resident in
18 the district but attending full-time a school operated by a [~~board of~~
19 ~~cooperative educational services~~] NY polytechnical institute or a county
20 vocational education and extension board for such school year. The
21 attendance of nonresident pupils attending public school in the district
22 and resident pupils attending such schools outside of the district shall
23 be determined by applying to the number of such pupils registered during
24 the school year in each case the ratio of aggregate days attendance to
25 the possible aggregate days attendance of all pupils in attendance in
26 the district. Indian pupils of a reservation attending public school, or
27 pupils living on the United States military reservation at West Point
28 attending public school, shall be deemed to be resident pupils of the
29 district providing such school, for purposes of this paragraph. Where a
30 school district has entered into a contract with the state university
31 pursuant to subdivision two of section three hundred fifty-five of this
32 chapter under which the school district makes payments in the nature of
33 tuition for the education of certain children residing in the district,
34 such children for whom such tuition payments are made shall be deemed to
35 be resident pupils of such district for the purposes of this paragraph.

36 (1) Total wealth pupil units will be computed using the adjusted aver-
37 age daily attendance for the year prior to the base year as computed in
38 this section, plus the attendance of resident pupils attending public
39 school elsewhere, less the attendance of nonresident pupils plus the
40 attendance of resident pupils attending full-time in [~~board of cooper-~~
41 ~~ative educational services~~] a NY polytechnical institute (not otherwise
42 specifically included), plus the additional aidable pupil units as
43 computed pursuant to paragraphs c and d of this subdivision, excluding
44 summer school pupils, plus the year prior to the base year resident
45 weighted pupils with disabilities. The attendance of nonresident pupils
46 attending public school in the district and resident pupils attending
47 such schools outside of the district shall be determined by applying to
48 the number of such pupils registered during the school year in each case
49 the ratio of aggregate days attendance to the possible aggregate days
50 attendance of all pupils in attendance in the district. Native American
51 pupils of a reservation attending public school, or pupils living on the
52 United States military reservation at West Point attending public
53 school, shall be deemed to be resident pupils of the district providing
54 such school, for purposes of this paragraph. Where a school district has
55 entered into a contract with state university pursuant to subdivision
56 two of section three hundred fifty-five of this chapter under which the

1 school district makes payment in the nature of tuition for the education
2 of certain children residing in the district, such children for whom
3 such tuition payments are made shall be deemed to be resident pupils of
4 such district for the purposes of this paragraph.

5 (1) Total wealth foundation pupil units shall mean the sum of (i)
6 average daily membership for the year prior to the base year as computed
7 in this section, plus (ii) the full-time equivalent enrollment of resi-
8 dent pupils attending public school elsewhere, less the full-time equiv-
9 alent enrollment of nonresident pupils, plus (iii) the full-time equiv-
10 alent enrollment of resident pupils attending full-time in [~~board of~~
11 ~~cooperative educational services~~] a NY polytechnical institute (not
12 otherwise specifically included). Native American pupils of a reserva-
13 tion attending public school, or pupils living on the United States
14 military reservation at West Point attending public school, shall be
15 deemed to be resident pupils of the district providing such school, for
16 purposes of this paragraph. Where a school district has entered into a
17 contract with state university pursuant to subdivision two of section
18 three hundred fifty-five of this chapter under which the school district
19 makes payment in the nature of tuition for the education of certain
20 children residing in the district, such children for whom such tuition
21 payments are made shall be deemed to be resident pupils of such district
22 for the purposes of this paragraph.

23 § 131. Paragraph f of subdivision 3 of section 3602 of the education
24 law, as added by section 13 of part B of chapter 57 of the laws of 2007,
25 is amended to read as follows:

26 f. The [~~board of cooperative educational services~~] NY polytechnical
27 institute aid ratio shall equal the greater of: (1) an amount equal to
28 one minus the quotient expressed as a decimal to three places without
29 rounding of eight mills divided by the tax rate of the local district
30 computed upon the actual valuation of taxable property, as determined
31 pursuant to subdivision one of this section, expressed in mills to the
32 nearest tenth as determined by the commissioner, provided, however, that
33 where services are provided to a school district which is included with-
34 in a central high school district or to a central high school district,
35 such amount shall equal one minus the quotient expressed as a decimal to
36 three places without rounding of three mills divided by the tax rates,
37 expressed in mills to the nearest tenth, of such districts, as deter-
38 mined by the commissioner or (2) an amount computed by subtracting from
39 one the product obtained by multiplying the resident weighted average
40 daily attendance wealth ratio by fifty-one percent. Such aid ratio shall
41 be expressed as a decimal carried to three places without rounding but
42 shall not be less than thirty-six percent and shall not be greater than
43 ninety percent.

44 § 132. Subdivision 10, paragraphs a, d, and f of subdivision 11, and
45 the opening paragraph and clause (A) of subparagraph (viii) of paragraph
46 b of subdivision 17 of section 3602 of the education law, subdivisions
47 10 and 11 as added by chapter 57 of the laws of 1993 and as renumbered
48 by section 16 of part B of chapter 57 of the laws of 2007, the subdivi-
49 sion heading and paragraphs a and c of subdivision 10 as amended by
50 section 32 of part H of chapter 83 of the laws of 2002, paragraph b of
51 subdivision 10 as amended by section 16 of part B of chapter 57 of the
52 laws of 2007, paragraph d of subdivision 10 as added by section 17 of
53 part B of chapter 57 of the laws of 2008, paragraph e of subdivision 10
54 as added by chapter 357 of the laws of 2018, paragraph a of subdivision
55 11 as amended by chapter 82 of the laws of 1995, paragraph d of subdivi-
56 sion 11 as amended by chapter 474 of the laws of 1996, paragraph f of

subdivision 11 as amended by chapter 378 of the laws of 2010, and the opening paragraph and clause (A) of subparagraph (viii) of paragraph b of subdivision 17 as added by section 37 of part A of chapter 58 of the laws of 2011, are amended to read as follows:

10. Special services aid for large city school districts and other school districts which were not components of a [~~board of cooperative educational services~~] NY polytechnical institute in the base year. a. The city school districts of those cities having populations in excess of one hundred twenty-five thousand and any other school district which was not a component of a [~~board of cooperative educational services~~] NY polytechnical institute in the base year shall be entitled to an apportionment under the provisions of this section.

b. Aid for career education. There shall be apportioned to such city school districts and other school districts which were not components of a [~~board of cooperative educational services~~] NY polytechnical institute in the base year for pupils in grades ten through twelve in attendance in career education programs as such programs are defined by the commissioner, subject for the purposes of this paragraph to the approval of the director of the budget, an amount for each such pupil to be computed by multiplying the career education aid ratio by three thousand nine hundred dollars. Such aid will be payable for weighted pupils attending career education programs operated by the school district and for weighted pupils for whom such school district contracts with [~~boards of cooperative educational services~~] NY polytechnical institutes to attend career education programs operated by a [~~board of cooperative educational services~~] NY polytechnical institute. Weighted pupils for the purposes of this paragraph shall mean the sum of the attendance of students in grades ten through twelve in career education sequences in trade, industrial, technical, agricultural or health programs plus the product of sixteen hundredths multiplied by the attendance of students in grades ten through twelve in career education sequences in business and marketing as defined by the commissioner in regulations. The career education aid ratio shall be computed by subtracting from one the product obtained by multiplying fifty-nine percent by the combined wealth ratio. This aid ratio shall be expressed as a decimal carried to three places without rounding, but not less than thirty-six percent.

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

A board of education which spends less than its local funds as defined by regulations of the commissioner for career education in the base year during the current year shall have its apportionment under this subdivision reduced in an amount equal to such deficiency in the current or a succeeding school year, provided however that the commissioner may waive such reduction upon determination that overall expenditures per pupil in support of career education programs were continued at a level equal to or greater than the level of such overall expenditures per pupil in the preceding school year.

c. Computer administration aid for large city school districts and any other school district which was not a component of a [~~board of cooperative educational services~~] NY polytechnical institute in the base year. The city school districts of those cities having populations in excess of one hundred twenty-five thousand inhabitants and any other school district which was not a component of a [~~board of cooperative educational services~~] NY polytechnical institute in the base year shall be eligible for an apportionment in accordance with the provisions of this

subdivision. Such districts shall be entitled to an additional apportionment computed by multiplying the lesser of (1) expenses for approved computer services in the base year or (2) the maximum allowable expense equal to the product of sixty-two dollars and thirty cents and the enrollment of pupils attending the public schools of such district in the base year, by the computer expenses aid ratio. The computer expenses aid ratio shall be computed by subtracting from one the product obtained by multiplying fifty-one per centum by the combined wealth ratio. This aid ratio shall be expressed as a decimal carried to three places without rounding, but shall not be less than thirty per centum. Expenses for approved computer services in the base year up to the maximum allowable expense shall not be used to claim aid pursuant to any other provisions of this section.

d. Aid for academic improvement. There shall be apportioned to such city school districts and other school districts which were not components of a ~~[board of cooperative educational services]~~ NY polytechnical institute in the base year, an amount per pupil for each pupil eligible for aid pursuant to paragraph b of this subdivision to be computed by multiplying the career education aid ratio computed pursuant to such paragraph b of this subdivision by the sum of (1) one hundred dollars plus (2) the quotient of one thousand dollars divided by the lesser of one or the combined wealth ratio. Aid for academic improvement shall be unrestricted general aid available to support any academic programs of the school district.

e. Career education data collection. Beginning in the two thousand seventeen--two thousand eighteen school year the commissioner shall collect data from school districts receiving aid under this subdivision on the number of students in the base year that are in grade nine and enrolled in career education courses in trade/industrial education, technical education, agricultural education, health occupations education, business and marketing education, family and consumer science education, and technology education programs in a manner prescribed by the commissioner.

a. School districts and ~~[boards of cooperative educational services (BOCES)]~~ NY polytechnical institutes providing approved programs shall be eligible for aid in accordance with the provisions of this subdivision for the attendance of persons twenty-one years of age or over who have not received a high school diploma or a high school equivalency diploma recognized by New York State who attend employment preparation education programs provided by such school districts or ~~[BOCES]~~ NY polytechnical institutes, which programs lead to a high school diploma or high school equivalency diploma as defined in regulations of the commissioner, even if such persons attend regular day school classes with permission of the board of education; provided that such programs are provided in accordance with a plan of service approved by the commissioner in accordance with the provisions of paragraph f of this subdivision. Such programs may operate between July first and June thirtieth of a school year. Whenever a person enrolls in a program approved pursuant to this subdivision offered by a ~~[BOCES]~~ NY polytechnical institute or in a school district other than their district of residence, the program provider shall send a notice of such enrollment to the persons district of residence, and shall issue a new notice if such person moves from one district to another. In the event that the cost of a program approved and provided in accordance with the provisions of this subdivision exceeds all sources of funds, other than tax levy revenues, which are available to defray such expenses, the school district or ~~[BOCES]~~ NY

1 polytechnical institute providing such program shall determine an excess
2 cost per contact hour provided during the base year, and then shall
3 determine the local share of such excess costs for each school district
4 whose residents were served by such program by multiplying such base
5 year hours by the excess cost per contact hour, and such local share
6 shall be a charge against each such district, payable within forty-five
7 days. Notwithstanding the provisions of section nineteen hundred fifty
8 of this chapter, a ~~[BOCES]~~ NY polytechnical institute shall be author-
9 ized to provide a program pursuant to this subdivision in the same
10 manner as a school district.

11 d. Employment preparation education aid ratio. The employment prepara-
12 tion education aid ratio for the purposes of this subdivision shall be
13 determined by subtracting from one the product of the pupil wealth ratio
14 and forty per centum. The aid ratio shall be expressed as a decimal to
15 three places without rounding but shall not be less than forty per
16 centum. In the case of a ~~[BOCES]~~ NY polytechnical institute, such aid
17 ratio shall be determined by computing a pupil wealth ratio for the
18 ~~[BOCES]~~ NY polytechnical institute using the aggregate actual valuation
19 and total wealth pupil units for all component districts of such ~~[BOCES]~~
20 NY polytechnical institute, but shall not be less than the greater of
21 forty per centum or the product of eighty-five per centum and the high-
22 est such aid ratio determined for a component school district of such
23 ~~[BOCES]~~ NY polytechnical institute.

24 f. Approved application. All school districts and ~~[BOCES]~~ NY polytech-
25 nical institutes desiring to operate an aidable program pursuant to this
26 subdivision shall complete an application, including a budget by program
27 component. Such application shall be in a form prescribed by the commis-
28 sioner and shall be submitted not later than May fifteenth of each
29 school year. Within forty-five days of such deadline, and upon evalu-
30 ation of such applications, the commissioner shall notify school
31 districts and ~~[BOCES]~~ NY polytechnical institutes of those portions of
32 such application that will be aidable in the school year ahead after
33 making a determination that approval of such application will assure
34 maximum effectiveness, geographic availability and lack of duplication
35 of such programs, support for educational initiatives, and compliance
36 with required program and fiscal reporting requirements. No aid shall be
37 payable pursuant to this subdivision unless the application is approved
38 by the commissioner.

39 The gap elimination adjustment for the two thousand eleven--two thou-
40 sand twelve school year shall be computed as follows, based on an
41 updated electronic data file containing actual and estimated data relat-
42 ing to apportionments due and owing during the current school year and
43 projections of such apportionments for the following school year to
44 school districts and ~~[boards of cooperative educational services]~~ NY
45 polytechnical institutes from the general support for public schools,
46 growth and ~~[boards of cooperative educational services]~~ NY polytechnical
47 institutes appropriations produced pursuant to paragraph b of subdivi-
48 sion twenty-one of section three hundred five of this chapter on Febru-
49 ary fifteenth of the base year. The gap elimination adjustment for a
50 district shall equal the lesser of the district's percentage reduction
51 and its TGFE check, provided, however, that in the case of a district
52 with a tax effort ratio greater than four percent (0.04) and a combined
53 wealth ratio for total foundation aid computed pursuant to subparagraph
54 two of paragraph c of subdivision three of this section that is less
55 than one and five-tenths (1.5), the gap elimination adjustment for a
56 district shall equal the lesser of the percentage reduction, the TGFE

1 check and the tax effort reduction, and further provided that in the
2 case of a school district, other than a city school district of a city
3 having a population in excess of one hundred twenty-five thousand, with
4 (A) an administrative efficiency ratio of less than one and eight-tenths
5 percent (0.018) and (B) an administrative expense per pupil of less than
6 three hundred forty-eight dollars (\$348), the gap elimination adjustment
7 shall be reduced by an amount equal to the administrative efficiency
8 restoration, and further provided that, where applicable, the gap elimi-
9 nation adjustment shall be reduced by an amount equal to the sum of the
10 needs-based restoration plus the low wealth-high tax effort restoration
11 plus the enrollment adjustment award.

12 (A) "total aid for adjustment" shall mean the sum of the amounts set
13 forth for each school district as "FOUNDATION AID", "FULL DAY K CONVER-
14 SION", [~~BOCES~~] "NY POLYTECHNICAL INSTITUTE + SPECIAL SERVICES", "HIGH
15 COST EXCESS COST", "PRIVATE EXCESS COST", "HARDWARE & TECHNOLOGY",
16 "SOFTWARE, LIBRARY, TEXTBOOK", "TRANSPORTATION INCL SUMMER", "OPERATING
17 REORG INCENTIVE", "CHARTER SCHOOL TRANSITIONAL", "ACADEMIC ENHANCEMENT",
18 "HIGH TAX AID" AND "SUPPLEMENTAL PUB EXCESS COST" under the heading
19 "2011-12 ESTIMATED AIDS" in the school aid computer listing produced by
20 the commissioner in support of the executive budget proposal for the two
21 thousand eleven--two thousand twelve school year;

22 § 133. Subdivision 20 and paragraph e of subdivision 26-a of section
23 3602 of the education law, subdivision 20 as amended by section 27 of
24 part L of chapter 405 of the laws of 1999 and paragraph e of subdivision
25 26-a as added by section 53 of part A of chapter 436 of the laws of
26 1997, are amended to read as follows:

27 20. Shared services aid for school districts which are not components
28 of a [~~board of cooperative educational services~~] NY polytechnical insti-
29 tute supervisory district, including large city school districts.
30 Commencing with aid payable in the nineteen hundred ninety-eight--nine-
31 ty-nine school year, school districts which are not components of a
32 [~~board of cooperative educational services~~] NY polytechnical institute
33 supervisory district, including city school districts of those cities
34 having populations in excess of one hundred twenty-five thousand inhab-
35 itants that participate in, or provide, shared services for the purpose
36 of instructional support service as authorized by subdivision eight-c of
37 section nineteen hundred fifty of this chapter shall be eligible for an
38 additional apportionment in accordance with the provisions of this para-
39 graph. Within the amount appropriated for such purpose, such districts
40 shall be entitled to an additional apportionment for their expenses
41 incurred in the base year from their participation in or provision of
42 such shared services, in an amount equal to the amount that would be
43 payable for such expenses if the services were aidable shared services
44 under subdivision five of section nineteen hundred fifty of this chap-
45 ter; provided that in computing such aid for such city school districts
46 the tax rate shall be determined in the manner prescribed in [~~subpara-~~
47 ~~graph seven of paragraph a of subdivision thirty-one a of this section~~]
48 paragraph e of subdivision one of section thirty-six hundred nine-e of
49 this part. Such apportionment shall be paid in accordance with section
50 thirty-six hundred nine-a of this [~~chapter~~] part. In the event the
51 appropriation for purposes of this subdivision in any year is insuffi-
52 cient to pay all claims received pursuant to this subdivision, the
53 commissioner shall determine the percentage of the total claims submit-
54 ted that is represented by each district's claim on file with the
55 commissioner at the time of creation of each data file or fiscal report
56 required by subdivision twenty-one of section three hundred five of this

chapter and shall pay such claims based on such prorated basis among all districts filing such claims until the appropriation is exhausted, provided that such prorated apportionment computed and payable as of September one of the school year immediately following the school year for which such aid is claimed shall be deemed final and not subject to change. For aid payable in the nineteen hundred ninety-eight--ninety-nine school year, the aid payable pursuant to this subdivision shall not exceed three million, five hundred thousand dollars (\$3,500,000); for the nineteen hundred ninety-nine--two thousand school year the aid payable pursuant to this subdivision shall not exceed ten million dollars (\$10,000,000); for the two thousand--two thousand one school year the aid payable pursuant to this subdivision shall not exceed fifteen million dollars (\$15,000,000); and for the two thousand one--two thousand two school year and thereafter the aid payable pursuant to this subdivision shall not exceed twenty-five million dollars (\$25,000,000).

e. Expenses for instructional computer technology equipment and software provided through a [~~board of cooperative educational services~~] NY polytechnical institute pursuant to a multi-year contract entered pursuant to section nineteen hundred fifty of this chapter shall continue to be aided under subdivision five of section nineteen hundred fifty of this chapter for the duration of such contract, and shall be paid in accordance with applicable provisions of section nineteen hundred fifty of this chapter and section thirty-six hundred nine-d of this [~~article~~] part.

§ 134. Subdivision 3 of section 3602-c of the education law, as added by chapter 593 of the laws of 1974, is amended to read as follows:

3. Boards of education, with the consent of the commissioner of education, are authorized to contract with [~~boards of cooperative educational services~~] NY polytechnical institutes to provide the services required by this act. Pupils receiving services under the provisions of this subdivision shall be deemed public school pupils for the purpose of determining aid pursuant to section nineteen hundred fifty of the education law. Any such pupil who attends a program offered by a [~~board of cooperative educational services~~] NY polytechnical institute, and who does not attend classes in the schools of the district furnishing services, shall not be included in computing average daily attendance in such district.

§ 135. Subparagraph 1 of paragraph (a) of subdivision 3 of section 3602-d of the education law, as added by chapter 792 of the laws of 1990, is amended to read as follows:

(1) school districts, local education agencies and/or [~~boards of cooperative educational services~~] NY polytechnical institutes serving secondary students; and

§ 136. Paragraph a of subdivision 1 of section 3602-e of the education law, as amended by section 19 of part B of chapter 57 of the laws of 2007, is amended to read as follows:

a. "School district" shall mean all public school districts eligible for total foundation aid pursuant to subdivision four of section three thousand six hundred two of this [~~article~~] part, such term shall not include [~~boards of cooperative educational services~~] NY polytechnical institutes.

§ 137. Paragraph b of subdivision 2 of section 3609-b of the education law, as added by chapter 57 of the laws of 1993, is amended to read as follows:

b. Such moneys shall be payable to the treasurer of each city school district, and the treasurer of each union free school district and of

1 each central school district and of each other school district, if there
2 be a treasurer, otherwise to the collector or other disbursing officer
3 of such district or [~~board of cooperative educational services~~] NY poly-
4 technical institute, who shall apply for and receive the same as soon as
5 payable. In the case of city school districts of cities with one hundred
6 twenty-five thousand inhabitants or more, any payment which pursuant to
7 this section is required to be made to the treasurer of the city school
8 district, shall be made to the city treasurer or chamberlain.

9 § 138. Section 3609-d of the education law, as amended by section 43
10 of part C of chapter 57 of the laws of 2004, the opening paragraph as
11 amended by section 20 and subdivision 1 as amended by section 21 of part
12 L of chapter 57 of the laws of 2005, is amended to read as follows:

13 § 3609-d. Moneys apportioned for [~~board of cooperative educational~~
14 ~~services~~] NY polytechnical institute aidable expenditures when and how
15 payable commencing July first, two thousand four. Notwithstanding the
16 provisions of section thirty-six hundred nine-a of this article, appor-
17 tionments payable pursuant to section nineteen hundred fifty of this
18 chapter shall be paid pursuant to this section. For aid payable in the
19 two thousand four--two thousand five school year and thereafter, "moneys
20 apportioned" shall mean the lesser of (i) one hundred percent of the
21 respective amount set forth for each school district as payable pursuant
22 to this section in the school aid computer listing produced by the
23 commissioner in support of the budget including the appropriation for
24 support of [~~boards of cooperative educational services~~] NY polytechnical
25 institutes for payments due prior to April first for the current year,
26 or (ii) the apportionment calculated by the commissioner based on data
27 on file at the time the payment is processed; provided however, that for
28 the purposes of any payment to be made in the month of June of two thou-
29 sand six such calculation shall be based on the school aid computer
30 listing for the current year using updated data at the time of each
31 payment. For districts subject to chapter five hundred sixty-three of
32 the laws of nineteen hundred eighty, section thirty-six hundred two-b of
33 this part, or two thousand forty of this chapter, for aid payable in the
34 two thousand four--two thousand five school year and thereafter, "moneys
35 apportioned" shall mean the apportionment calculated by the commissioner
36 based on data on file at the time the payment is processed. The "school
37 aid computer listing for the current year" shall be as defined in the
38 opening paragraph of section thirty-six hundred nine-a of this [~~article~~]
39 part. The definitions "base year" and "current year" as set forth in
40 subdivision one of section thirty-six hundred two of this [~~article~~] part
41 shall apply to this section.

42 1. Prescribed payments. Of the moneys to be apportioned by the commis-
43 sioner to school districts during the school year, that portion payable
44 pursuant to section nineteen hundred fifty of this chapter shall be used
45 in the first instance to make payments on behalf of [~~boards of cooper-~~
46 ~~ative educational services~~] NY polytechnical institutes to the teachers'
47 retirement system in the same manner as payments made on behalf of
48 school districts pursuant to subparagraph one of paragraph a of subdivi-
49 sion one of section thirty-six hundred nine-a of this [~~article~~] part,
50 and additional payments shall be paid to [~~boards of cooperative educa-~~
51 ~~tional services~~] NY polytechnical institutes as follows: the greater of
52 any payments made to the teachers' retirement system pursuant to this
53 paragraph or twenty-five percent of the moneys apportioned less any
54 payments made to the teachers' retirement system pursuant to this para-
55 graph on the first state business day of February, to the extent that
56 acceptable data has been filed with the commissioner; fifty-five percent

1 of the moneys apportioned, less the payment made in February and less
2 any payments made to the teachers' retirement system pursuant to this
3 paragraph, on the first state business day of June; and a final appor-
4 tionment equal to the amount calculated based on data on file as of
5 August first next following the close of the current year, provided
6 however, that for the September two thousand six payment such calcu-
7 lation shall be based on the computer listing for the current year using
8 data on file as of August first, less payments made to date, on the
9 first state business day of September next following the close of the
10 current year; provided, however, that any obligation of a [~~board of~~
11 ~~cooperative educational services~~] NY polytechnical institute to the bond
12 trustee of the dormitory authority shall be paid in accordance with the
13 applicable provisions of the public authorities law.

14 2. Such moneys shall be payable to the treasurer of each [~~board of~~
15 ~~cooperative educational services~~] NY polytechnical institute, if there
16 be a treasurer, otherwise to the collector or other disbursing officer
17 of such [~~board of cooperative educational services~~] NY polytechnical
18 institute, who shall apply for and receive the same as soon as payable.

19 3. Notwithstanding any inconsistent provisions of this chapter, for
20 aid payable in the nineteen hundred ninety-six--ninety-seven school year
21 the apportionment calculated pursuant to section nineteen hundred fifty
22 of this chapter shall be reduced by two percent.

23 § 139. Subdivision 1 of section 3610 of the education law, as added by
24 chapter 498 of the laws of 1987, is amended to read as follows:

25 1. Apprenticeship training programs. Local education agencies which
26 provide related or supplemental instruction to apprentices registered by
27 the state department of labor pursuant to article twenty-three of the
28 labor law shall be eligible for an apportionment pursuant to the
29 provisions of this section for the operation of apprenticeship training
30 programs as approved by the commissioner. Priority shall be given to
31 local education agencies which provide for an increased number of
32 participants in the related or supplemental instructional component of
33 apprentice training programs. Designated local education agencies may
34 provide such programs directly, or by contracting with school districts,
35 [~~boards of cooperative educational services~~] NY polytechnical institutes
36 and other providers of apprentice training services, including postse-
37 condary institutions and other providers authorized to confer degrees in
38 this state or in which the course of instruction is licensed, registered
39 or approved pursuant to any provision of this chapter.

40 § 140. Subdivision 9 of section 3621 of the education law, as added by
41 chapter 474 of the laws of 1996, is amended to read as follows:

42 9. "District share of the cost of regional or joint transportation
43 systems" shall mean the share of the cost of such transportation
44 prorated among all the school district or districts and [~~board or boards~~
45 ~~of cooperative educational services~~] NY polytechnical institute or
46 institutes participating in the regional or joint transportation, as
47 determined in accordance with regulations promulgated by the commission-
48 er, provided that in no case shall there be any deduction made in deter-
49 mining transportation aid on the basis of bus mileage travelled in
50 transporting children pursuant to a contract executed in accordance with
51 paragraph h of subdivision twenty-five of section seventeen hundred nine
52 of this chapter and provided that transportation aid for jointly oper-
53 ated transportation system shall be determined in the same manner as for
54 individual school districts.

§ 141. Subdivision 5 of section 3622-a of the education law, as amended by chapter 422 of the laws of 2004, is amended to read as follows:

5. Transportation of pupils during the school day to and from programs at a ~~[board of cooperative educational services]~~ NY polytechnical institute or to or from approved shared programs at other school districts, which programs may lead to a diploma or a high school equivalency diploma or to or from career education programs operated within the district;

§ 142. Paragraph b of subdivision 1 of section 3623 of the education law, as amended by chapter 474 of the laws of 1996, is amended to read as follows:

b. No bus manufactured after January first, nineteen hundred seventy-four shall be used to transport pupils under any contract with a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute unless it has been similarly approved by the commissioner of transportation, except that no such approval shall be required for buses used to transport pupils and also used to serve the general public under a certificate of public convenience for the operation of a bus line, granted pursuant to the transportation law or for buses used to transport pupils, teachers and other persons acting in a supervisory capacity to and from school activities and which bus does not receive or discharge passengers on or along the public highways on regularly scheduled routes and is operating under a permit as a contract carrier of passengers granted pursuant to the transportation law or by the interstate commerce commission. School buses manufactured or assembled prior to April first, nineteen hundred seventy-seven may not be used to transport pupils, teachers and other persons acting in a supervisory capacity to and from school activities.

§ 143. Paragraph b of subdivision 2 of section 3623-a of the education law, as amended by chapter 472 of the laws of 1998, is amended to read as follows:

b. The lease, as approved by the commissioner, of a school bus by a school district from another school district, ~~[board of cooperative educational services]~~ NY polytechnical institute or a county vocational education and extension board, or any school bus leased by a school district from any other source under emergency conditions, as determined by the commissioner, or any school bus leased by a school district from any other source as otherwise authorized by this chapter;

§ 144. Subparagraph 5 of paragraph b of subdivision 5 and subparagraph 8 of paragraph a of subdivision 16 of section 3641 of the education law, subparagraph 5 of paragraph b of subdivision 5 as added by section 1 of part B of chapter 58 of the laws of 2011 and subparagraph 8 of paragraph a of subdivision 16 as amended by section 19 of part A of chapter 56 of the laws of 2024, are amended to read as follows:

(5) if two or more school districts are applying jointly, and have entered a shared services agreement as authorized by law, that significant savings would result from such shared services; provided that in no event shall districts that have entered into an aidable cooperative educational services agreement for any such services with a ~~[board of cooperative educational services]~~ NY polytechnical institute pursuant to section nineteen hundred fifty of this chapter be eligible for an award pursuant to this subdivision for the same purpose, but may be eligible for an award pursuant to this subdivision for another shared long term efficiency or cost saving measure. Provided however, a district which has received an award pursuant to the local government efficiency grant program authorized by subdivision ten of section fifty-four of the state

1 finance law, shall not be eligible to receive an award pursuant to this
2 subdivision for the same purpose, but may be eligible for an award
3 pursuant to this subdivision for another long term efficiency or cost
4 savings measure.

5 (8) "Selected school aid" shall mean the sum of the amounts set forth
6 as "FOUNDATION AID", "FULL DAY K CONVERSION", [~~"BOCES"~~] "NY POLYTECHNI-
7 CAL INSTITUTES", "SPECIAL SERVICES", "HIGH COST EXCESS COST", "PRIVATE
8 EXCESS COST", "HARDWARE & TECHNOLOGY", "SOFTWARE, LIBRARY, TEXTBOOK",
9 "TRANSPORTATION INCL SUMMER", "OPERATING REORG INCENTIVE", "CHARTER
10 SCHOOL TRANSITIONAL", "ACADEMIC ENHANCEMENT", "HIGH TAX AID", and
11 "SUPPLEMENTAL PUB EXCESS COST" under the heading "2013-14 BASE YEAR
12 AIDS" in the school aid computer listing produced by the commissioner in
13 support of the executive budget proposal for the two thousand fourteen-
14 fifteen school year.

15 § 145. Subdivision 1 of section 3811 of the education law, as sepa-
16 rately amended by chapters 273 and 698 of the laws of 1986, is amended
17 to read as follows:

18 1. Whenever the trustees or board of education of any school district,
19 or any school district officers, have been or shall be instructed by a
20 resolution adopted at a district meeting to defend any action brought
21 against them, or to bring or defend an action or proceeding touching any
22 district property or claim of the district, or involving its rights or
23 interests, or to continue any such action or defense, all their costs
24 and reasonable expenses, as well as all costs and damages adjudged
25 against them, shall be a district charge and shall be levied by tax upon
26 the district. Whenever any superintendent, principal, member of the
27 teaching or supervisory staff, member of a committee on special educa-
28 tion or subcommittee thereof, surrogate parent as defined in the regu-
29 lations of the commissioner of education, or any trustee or member of
30 the board of education of a school district or non-instructional employ-
31 ee of any school district other than the city school district of the
32 city of New York or any [~~board of cooperative educational services~~] NY
33 polytechnical institute shall defend any action or proceeding, other
34 than a criminal prosecution or an action or proceeding brought against
35 him by a school district or [~~board of cooperative educational services~~]
36 NY polytechnical institute hereafter brought against [~~him~~] them, includ-
37 ing proceedings before the commissioner of education, arising out of the
38 exercise of [~~his~~] their powers or the performance of [~~his~~] their duties
39 under this chapter, all [~~his~~] their reasonable costs and expenses, as
40 well as all costs and damages adjudged against [~~him~~] them, shall be a
41 district charge and shall be levied by tax upon the district or shall
42 constitute an administrative charge upon the [~~board of cooperative~~
43 ~~educational services~~] NY polytechnical institute provided that (a) such
44 superintendent, principal, member of the teaching or supervisory staff,
45 member of a committee on special education or subcommittee thereof,
46 surrogate parent as defined in the regulations of the commissioner of
47 education, non-instructional employee of any school district or [~~board~~
48 ~~of cooperative educational services~~] NY polytechnical institute or such
49 trustee or member of a board of education of such school district or
50 [~~board of cooperative educational services~~] NY polytechnical institute
51 shall notify the trustees or board of education or [~~board of cooperative~~
52 ~~educational services~~] NY polytechnical institute in writing of the
53 commencement of such action or proceedings against [~~him~~] them within
54 five days after service of process upon [~~him~~] them; and (b) the trustees
55 or board of education or [~~board of cooperative educational services~~] NY
56 polytechnical institute shall, at any time during the ten days next

1 following the notice to them of the commencement of such action or
2 proceedings, have the right to designate and appoint the legal counsel
3 to represent such superintendent, principal, member of the teaching or
4 supervisory staff, member of a committee on special education or subcom-
5 mittee thereof, surrogate parent as defined in the regulations of the
6 commissioner of education, non-instructional employee of any school
7 district or [~~board of cooperative educational services~~] NY polytechnical
8 institute or such trustee or member of the board of education or [~~board~~
9 ~~of cooperative educational services~~] NY polytechnical institute in such
10 action or proceedings against [~~him~~] them, in the absence of which desig-
11 nation and appointment within the time specified such superintendent,
12 principal, member of the teaching or supervisory staff, member of a
13 committee on special education or subcommittee thereof, surrogate parent
14 as defined in the regulations of the commissioner of education, non-in-
15 structional employee of any school district or [~~board of cooperative~~
16 ~~educational services~~] NY polytechnical institute or such trustee or
17 member of the board of education or [~~board of cooperative educational~~
18 ~~services~~] NY polytechnical institute may select [~~his~~] their own legal
19 counsel; (c) it shall be certified by the court or by the commissioner
20 of education, as the case may be, that [~~he~~] they appeared to have acted
21 in good faith with respect to the exercise of [~~his~~] their powers or the
22 performance of [~~his~~] their duties under this chapter.

23 § 146. Subdivision 1 of section 3813 of the education law, as amended
24 by chapter 387 of the laws of 1992, is amended to read as follows:

25 1. No action or special proceeding, for any cause whatever, except as
26 hereinafter provided, relating to district property or property of
27 schools provided for in article eighty-five of this chapter or chapter
28 ten hundred sixty of the laws of nineteen hundred seventy-four or claim
29 against the district or any such school, or involving the rights or
30 interests of any district or any such school shall be prosecuted or
31 maintained against any school district, board of education, [~~board of~~
32 ~~cooperative educational services~~] NY polytechnical institute, school
33 provided for in article eighty-five of this chapter or chapter ten
34 hundred sixty of the laws of nineteen hundred seventy-four or any offi-
35 cer of a school district, board of education, [~~board of cooperative~~
36 ~~educational services~~] NY polytechnical institute, or school provided for
37 in article eighty-five of this chapter or chapter ten hundred sixty of
38 the laws of nineteen hundred seventy-four unless it shall appear by and
39 as an allegation in the complaint or necessary moving papers that a
40 written verified claim upon which such action or special proceeding is
41 founded was presented to the governing body of said district or school
42 within three months after the accrual of such claim, and that the offi-
43 cer or body having the power to adjust or pay said claim has neglected
44 or refused to make an adjustment or payment thereof for thirty days
45 after such presentment. In the case of an action or special proceeding
46 for monies due arising out of contract, accrual of such claim shall be
47 deemed to have occurred as of the date payment for the amount claimed
48 was denied.

49 § 147. Paragraph b of subdivision 2 of section 4002 of the education
50 law, as added by chapter 563 of the laws of 1980, is amended to read as
51 follows:

52 b. The program of the [~~board of cooperative educational services~~] NY
53 polytechnical institute serving the area in which the institution is
54 located. [~~Boards of cooperative educational services~~] NY polytechnical
55 institutes are hereby authorized to provide such services on the same

1 basis as such services are provided to children residing in component
2 districts of such ~~[boards]~~ institutes.

3 § 148. Subdivision 3 of section 4005 of the education law, as amended
4 by chapter 273 of the laws of 1986, is amended to read as follows:

5 3. In the event that it has been determined by a private school oper-
6 ated by a child care institution or a special act school district,
7 subject to any review or modification provided for in this article, that
8 a child should receive educational services in a public school, other
9 than a special act school district, or ~~[board of cooperative educational~~
10 ~~services]~~ NY polytechnical institute program or if a child resides in a
11 child care institution that does not maintain an approved private school
12 program or special act school district, then any such child residing in
13 a child care institution shall be admitted to the school district in
14 which the child care institution is located pursuant to regulations of
15 the commissioner. For the purposes of this subdivision a special act
16 school district shall not be considered to be the school district in
17 which such institution is located.

18 § 149. Paragraph c of subdivision 2 and subdivision 4 of section 4401
19 of the education law, paragraph c of subdivision 2 as amended by chapter
20 470 of the laws of 1977 and subdivision 4 as amended by chapter 371 of
21 the laws of 2023, are amended to read as follows:

22 c. Contracts with or special services or programs provided by ~~[boards~~
23 ~~of cooperative educational services]~~ NY polytechnical institutes.

24 4. "Transportation expense." For the purposes of determining transpor-
25 tation aid pursuant to this article, "transportation expense" shall mean
26 any cost incurred by the school district for the transportation of a
27 child with disabilities pursuant to the provisions of subdivision four
28 of section forty-four hundred two of this article, notwithstanding any
29 minimum or maximum aidable limits established by other provisions of the
30 education law or pursuant to regulations of the commissioner or school
31 district, allowed pursuant to the applicable provisions of parts two and
32 three of article seventy-three of this chapter, provided, however, that
33 such transportation shall not be in excess of fifty miles from the home
34 of such pupil to the appropriate special service or program unless the
35 commissioner shall certify that no appropriate non-residential special
36 service or program is available within such fifty miles, and that the
37 commissioner may establish by regulation a maximum number of trips
38 between a pupil's home and the private residential school which provides
39 special services or programs to such pupil. Such cost shall include the
40 cost of joint or regional transportation provided by school districts or
41 ~~[boards of cooperative educational services]~~ NY polytechnical institutes
42 for such purposes and subject to the same limits.

43 § 150. Clause (c) of subparagraph 1 and clause (g) of subparagraph 3
44 of paragraph b of subdivision 1 and paragraph c of subdivision 4 of
45 section 4402 of the education law, clause (c) of subparagraph 1 of para-
46 graph b of subdivision 1 as amended by chapter 311 of the laws of 1999,
47 clause (g) of subparagraph 3 of paragraph b of subdivision 1 as amended
48 by chapter 371 of the laws of 2023 and paragraph c of subdivision 4 as
49 added by chapter 853 of the laws of 1976, are amended to read as
50 follows:

51 (c) Districts not having available personnel may share the services of
52 a local committee on special education with another school district or
53 contract with a ~~[board of cooperative educational services]~~ NY polytech-
54 nical institute for such personnel pursuant to regulations of the
55 commissioner. A district having a subcommittee on special education may
56 share the services of a local committee on special education with anoth-

er school district, provided that a representative of such school district who is qualified to provide or administer or supervise special education and is knowledgeable about the general curriculum and the availability of resources of the school district shall be a member of such committee when it convenes on behalf of a student who is a resident of such district.

(g) Provide for the transmittal of information by the board of education, including such test results and evaluations as the committee may have collected, to the home district of the child with a disability in cases where the home school district has contracted for the child's education with another school district or [~~board of cooperative educational services~~] NY polytechnical institute.

c. Such board shall be empowered to contract for transportation services provided pursuant to this subdivision with any municipality, [~~Board of Cooperative Educational Services~~] NY polytechnical institute, public authority or private contractor meeting the school bus provisions outlined in section thirty-six hundred twenty-three of this chapter and the standards and specifications relating thereto.

§ 151. Paragraph d of subdivision 1 of section 4410-b of the education law, as added by chapter 6 of the laws of 2000, is amended to read as follows:

d. "Public or private agency" shall mean an approved preschool special education program, or a state-supported school operating pursuant to article eighty-five of this chapter, or an approved private non-residential or residential school that provides special services or programs pursuant to subdivision two of section forty-four hundred one of this article. Such term shall not include an individual providing related services only to preschool students with disabilities pursuant to section forty-four hundred ten of this article. Such term shall include a [~~board of cooperative educational services~~] NY polytechnical institute only to the extent it is an approved preschool special education program, and only for those students provided special education programs or services pursuant to section forty-four hundred ten of this article.

§ 152. Paragraph c of subdivision 1 of section 4452 of the education law, as added by chapter 740 of the laws of 1982, is amended to read as follows:

c. Upon acceptance by a local school district of the apportionments made under section thirty-six hundred two of this chapter such district shall use such funding in accordance with guidelines to be established by the commissioner for services to gifted pupils. Such services shall include but not be limited to identification, instructional programs, planning, in service education and program evaluation. A board of education may contract with another district or [~~board of cooperative educational services~~] NY polytechnical institute to provide the program and/or services with the approval of the commissioner under guidelines established by the commissioner.

§ 153. Section 4601 of the education law, as added by chapter 864 of the laws of 1970, subdivisions 1 and 2 as amended by chapter 301 of the laws of 1996, is amended to read as follows:

§ 4601. Advisory councils. 1. The board of education of each school district and of each [~~board of cooperative educational services~~] NY polytechnical institute maintaining an approved career education program shall appoint an advisory council for career education consisting of at least ten members. The membership shall include, but not be limited to, persons:

1 a. Familiar with the vocational needs and problems of management and
2 labor in the region.

3 b. Familiar with programs of career education at the postsecondary and
4 adult levels.

5 c. Familiar with the ~~[manpower]~~ workforce needs and requirements of
6 the region to be served.

7 d. Familiar with the special educational needs of the physically and
8 mentally handicapped.

9 e. Representative of community interests, including persons familiar
10 with the special needs of the population to be served.

11 f. A student who is participating in a career education program at the
12 school district or ~~[board of cooperative educational services]~~ NY poly-
13 technical institute district being served by the advisory council.

14 2. It shall be the duty of such advisory council for career education
15 to advise the board of education or ~~[board of cooperative education]~~ NY
16 polytechnical institute on the development of and policy matters arising
17 in the administration of career education, including the preparation of
18 long-range and annual program plans submitted to the commissioner of
19 education, and assist with an annual evaluation of career education
20 programs, services and activities provided by the school district or
21 board of cooperative education.

22 3. Advisory councils may appoint consultant committees representative
23 of specific occupational fields to assist in the work of the council and
24 the board of education or ~~[board of cooperative education]~~ NY polytech-
25 nical institute with respect to the planning, development and require-
26 ments for establishment of new programs or evaluation and revision of
27 existing programs.

28 4. The board of education of any school district or the ~~[board of~~
29 ~~cooperative educational services]~~ NY polytechnical institute may employ
30 such professional, technical and clerical personnel as may be necessary
31 to enable the advisory council to carry out its functions specified in
32 this section.

33 § 154. Subdivision 2 of section 4602 of the education law, as amended
34 by chapter 301 of the laws of 1996, is amended to read as follows:

35 2. Career education programs and classes shall be organized and
36 conducted by boards of education or arranged through shared services as
37 provided by ~~[boards of cooperative educational services]~~ NY polytechni-
38 cal institutes, in accordance with the rules of the board of regents and
39 the regulations of the commissioner of education. Boards of education
40 that are designated by the commissioner as major career education
41 providers shall submit to the commissioner every two years, no later
42 than the date specified by the commissioner, a career education program
43 plan, in a form specified by the commissioner, which shall be revised
44 annually.

45 § 155. Subdivision 1 and the opening paragraph of subdivision 2 of
46 section 4605 of the education law, as added by chapter 864 of the laws
47 of 1970, are amended to read as follows:

48 1. The board of education of each school district or ~~[board of cooper-~~
49 ~~ative educational services]~~ NY polytechnical institute may employ quali-
50 fied persons for the purpose of providing vocational and educational
51 guidance for minors. Such vocational and educational guidance service
52 and the qualifications of the counselors employed for such work shall be
53 approved by the commissioner.

54 The board of education of each school district or ~~[board of cooper-~~
55 ~~ative educational services]~~ NY polytechnical institute may establish,
56 conduct and maintain as a part of the public school system a guidance

bureau which shall perform such of the following duties as may be determined by such board or institute:

§ 156. Subdivision 6 of section 6303 of the education law, as added by section 2 of part CC of chapter 56 of the laws of 2019, is amended to read as follows:

6. Notwithstanding the provisions of any other general, special or local law, rule or regulation, each community college, or the entity or entities responsible for setting tuition at such institution, shall be authorized to set a reduced rate of tuition and/or fees, or to waive tuition and/or fees entirely, for students participating in any dual or concurrent enrollment program with no reduction in other state, local, or other support for such students earning college credit that such higher education partner would otherwise be eligible to receive; provided that, for purposes of this provision, a dual or concurrent enrollment program shall mean one or more college courses taken by a high school student through a community college while such student is still enrolled in high school or [~~boards of cooperative educational services~~] NY polytechnical institutes and for which the student may receive both high school and college credit.

§ 157. Subdivisions 8 and 10 of section 6306 of the education law, subdivision 8 as amended by chapter 552 of the laws of 1984 and subdivision 10 as amended by section 1 of part T of chapter 54 of the laws of 2016, are amended to read as follows:

8. Subject to the approval of the local sponsor acting through its local legislative body or board, or other appropriate governing agency, and pursuant to such regulations and limitations as may be established and prescribed by the state university trustees with the approval of the director of the budget, the board of trustees of each community college may participate in cooperative educational programs, services and arrangements with colleges, universities, school districts, [~~boards of cooperative educational services~~] NY polytechnical institutes, libraries, museums and join any cooperative association of such educational institutions formed as a corporation pursuant to section two hundred sixteen of this chapter. The provisions of this subdivision shall not apply to community college regional boards of trustees.

10. The boards of trustees of the state university of New York community colleges shall consult with [~~boards of cooperative educational services (BOCES)~~] NY polytechnical institutes to identify new or existing programs offered to students that would allow a student to pursue an associate of occupational studies (AOS) degree from a community college upon high school graduation. Once identified, [~~BOCES~~] NY polytechnical institutes in collaboration with the community college boards of trustees shall make such path, identified programs, and AOS degree options known to ensure that students are aware that such options exist. Such notification shall begin in the eighth grade, and include the provision of materials on AOS degree options to school counselors in each school district in such region. Provided however, that such boards and [~~BOCES~~] NY polytechnical institutes shall not take any action to direct or suggest that a student should pursue a particular degree or pathway.

§ 158. Subdivision 3 of section 6310 of the education law, as added by chapter 552 of the laws of 1984, is amended to read as follows:

3. Pursuant to such regulations and limitations as may be established and prescribed by the state university trustees with the approval of the director of the budget, the community college regional board of trustees may participate in cooperative educational programs, services and arrangements with colleges, universities, school districts, [~~boards of~~

~~cooperative educational services~~] NY polytechnical institutes, libraries, museums and join any cooperative association of such educational institutions formed as a corporation pursuant to section two hundred sixteen of this chapter.

§ 159. Paragraph a of subdivision 1 of section 6503-b of the education law, as added by chapter 581 of the laws of 2011, is amended to read as follows:

a. "Special education school" means an approved program as defined in paragraph b of subdivision one of section forty-four hundred ten of this chapter that meets the requirements of paragraph b of subdivision six of such section forty-four hundred ten; an approved private non-residential or residential school for the education of students with disabilities that is located within the state; a child care institution as defined in section four thousand one of this chapter that operates a private school for the education of students with disabilities or an institution for the deaf or blind operating pursuant to article eighty-five of this chapter that either: (1) conducts a multi-disciplinary evaluation for purposes of articles eighty-one or eighty-nine of this chapter that involves the practice of one or more professions for which a license is required pursuant to this title and no exception from corporate practice restrictions applies, or (2) provides related services to students enrolled in the school or approved program that involves the practice of one or more professions for which a license is required pursuant to this title and no exception from practice restrictions applies. Such term shall not include a school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, municipality, state agency or other public entity. Nothing in this section shall be construed to require a child care institution that conducts multi-disciplinary evaluations or provides related services through an approved private nonresidential school operated by such child care institution to obtain a waiver, provided that such school obtains a waiver pursuant to this section.

§ 160. Subdivision 4 of section 6608-b of the education law, as amended by chapter 390 of the laws of 2019, is amended to read as follows:

(4) Education and experience: (A) have received a high school diploma, or its equivalent, and (B) have successfully completed, in accordance with the commissioner's regulations, (i) an approved one-year course of study in dental assisting in a degree-granting institution or a ~~[board of cooperative educational services]~~ NY polytechnical institute program which includes at least two hundred hours of clinical experience, or an equivalent approved course of study in dental assisting in a non-degree granting institution which shall not be a professional association or professional organization or (ii) an alternate course of study in dental assisting acceptable to the department which shall be provided by a degree-granting institution or a ~~[board of cooperative educational services]~~ NY polytechnical institute program which includes at least one thousand hours of relevant work experience;

§ 161. Subdivision 7 of section 208 of the elder law is amended to read as follows:

7. In addition, the director, within appropriations provided, may establish a training program for respite workers. The six existing respite projects established pursuant to chapter seven hundred sixty-seven of the laws of nineteen hundred eighty-one shall, insofar as they are able, assist in providing such a training program.

The director may also enter into contracts with ~~[boards of cooperative educational services]~~ NY polytechnical institutes pursuant to sections

1 nineteen hundred fifty and forty-six hundred two of the education law to
2 provide courses in training for respite care workers. This training
3 program shall be optional for existing programs.

4 § 162. Subdivision 2 of section 9-102 of the energy law, as added by
5 chapter 733 of the laws of 1985, is amended to read as follows:

6 2. "Municipality" means a municipal corporation, as defined in section
7 two of the general municipal law, school district, [~~board of cooperative~~
8 ~~educational services~~] NY polytechnical institute, fire district,
9 district corporation or special improvement district governed by a sepa-
10 rate board of commissioners.

11 § 163. Subdivisions 3 and 8 of section 9-103 of the energy law, subdi-
12 vision 3 as amended by chapter 368 of the laws of 1994 and subdivision 8
13 as added by section 78 of part A of chapter 436 of the laws of 1997, are
14 amended to read as follows:

15 3. In the case of a school district or a [~~board of cooperative educa-~~
16 ~~tional services~~] NY polytechnical institute, an energy performance
17 contract shall be an ordinary contingent expense, and shall in no event
18 be construed as or deemed a lease or lease-purchase of a building or
19 facility, for purposes of the education law.

20 8. In the case of a school district or a [~~board of cooperative educa-~~
21 ~~tional services~~] NY polytechnical institute, an energy performance
22 contract shall be developed and approved pursuant to the requirements of
23 this section and pursuant to regulations promulgated by the commissioner
24 of education in consultation with the New York state energy research and
25 development authority. Such regulations shall include, but shall not be
26 limited to: a list of the appropriate type of projects that qualify as
27 energy performance contracts; an approval process that includes review
28 of the type and nature of the proposed project, the scope and nature of
29 the work to be performed, and a detailed breakdown of the energy savings
30 to be derived each year and for the duration of the energy performance
31 contract; and a process for ensuring that districts have obtained
32 financing at the lowest cost possible. Such regulations shall require
33 that all energy performance contracts which contain maintenance and
34 monitoring charges as part of the energy performance contract price
35 state such maintenance and monitoring charges separately in the contract
36 in a clear and conspicuous manner. Such regulations shall not apply to
37 energy performance contracts entered into prior to the effective date of
38 such regulations, nor shall they apply to energy performance contracts
39 for which a request for proposals was issued prior to such effective
40 date.

41 § 164. Subdivision 4 of section 27-2601 of the environmental conserva-
42 tion law, as added by chapter 99 of the laws of 2010, is amended to read
43 as follows:

44 4. "Consumer" means a person located in the state who owns or uses
45 covered electronic equipment, including but not limited to an individ-
46 ual, a business, corporation, limited partnership, not-for-profit corpo-
47 ration, the state, a public corporation, public school, school district,
48 private or parochial school or [~~board of cooperative educational~~
49 ~~services~~] NY polytechnical institute or governmental entity, but does
50 not include an entity involved in a wholesale transaction between a
51 distributor and retailer.

52 § 165. Subdivision 5 of section 27-3301 of the environmental conserva-
53 tion law, as added by chapter 795 of the laws of 2022, is amended to
54 read as follows:

55 5. "Consumer" means a person located in the state who purchases, owns,
56 leases, or uses carpet, including but not limited to an individual, a

1 business, corporation, limited partnership, not-for-profit corporation,
2 the state, a public corporation, public school, school district, private
3 or parochial school, or [~~board of cooperative educational services~~] NY
4 polytechnical institute or governmental entity.

5 § 166. Subdivisions 1 and 2 of section 37-0109 of the environmental
6 conservation law, subdivision 1 as added by chapter 521 of the laws of
7 2002 and subdivision 2 as amended by chapter 329 of the laws of 2003,
8 are amended to read as follows:

9 1. The state, and any political subdivision thereof, school district,
10 [~~board of cooperative educational services~~] NY polytechnical institute
11 or public authority, and any agency of any such entity shall be prohib-
12 ited from constructing, any structure on any playground owned or oper-
13 ated by such an entity, which uses lumber which is pressure treated with
14 chromated copper arsenate.

15 2. The state, and any political subdivision thereof, school district,
16 [~~board of cooperative educational services~~] NY polytechnical institute
17 or public authority, and any agency of any such entity shall maintain
18 and operate all (a) structures constructed with lumber which is pressure
19 treated with chromated copper arsenate, which is on any playground owned
20 or operated by such an entity, or (b) picnic tables constructed with
21 lumber which is pressure treated with chromated copper arsenate, which
22 is on any facility owned or operated by such an entity, in such a manner
23 as to minimize chromated copper arsenate from leaching from such struc-
24 ture or picnic table. Every such entity shall maintain the ground cover
25 surrounding any such structure or picnic table in a manner to minimize
26 exposure to potential chromated copper arsenate contamination.

27 § 167. Paragraph f of subdivision 4 of section 51-0101 of the environ-
28 mental conservation law, as added by chapter 400 of the laws of 1973, is
29 amended to read as follows:

30 f. in the case of a supervisory district, the [~~board of cooperative~~
31 ~~educational services~~] NY polytechnical institute thereof.

32 § 168. Paragraph (f) of subdivision 7 of section 52-0101 of the envi-
33 ronmental conservation law, as added by chapter 512 of the laws of 1986,
34 is amended to read as follows:

35 (f) in the case of a supervisory district, the [~~board of cooperative~~
36 ~~educational services~~] NY polytechnical institute thereof.

37 § 169. Paragraph (e) of subdivision 9 of section 56-0101 of the envi-
38 ronmental conservation law, as added by chapter 413 of the laws of 1996,
39 is amended to read as follows:

40 (e) in the case of a supervisory district, the [~~board of cooperative~~
41 ~~educational services~~] NY polytechnical institute thereof;

42 § 170. Subdivision 1, paragraphs b and h of subdivision 2, paragraph a
43 of subdivision 3 and paragraph a of subdivision 6 of section 29-h of the
44 executive law, subdivision 1, paragraphs b and h of subdivision 2 and
45 paragraph a of subdivision 3 as amended by section 1 of part Q of chap-
46 ter 55 of the laws of 2013 and paragraph a of subdivision 6 as amended
47 by chapter 227 of the laws of 2015, are amended to read as follows:

48 1. Creation. There is hereby created the intrastate mutual aid program
49 to complement existing mutual aid agreements in the event of a disaster
50 that results in a formal declaration of an emergency by a participating
51 local government. All local governments within the state, excepting
52 those which affirmatively choose not to participate in accordance with
53 subdivision four of this section, are deemed to be participants in the
54 program; provided, however, with respect to school districts and [~~boards~~
55 ~~of cooperative educational services~~] NY polytechnical institutes, such

1 participation shall be limited to the sharing of facilities management
2 and administrative personnel and equipment.

3 b. "Local government" means any county, city, town, village, school
4 district or [~~board of cooperative educational services~~] NY polytechnical
5 institute of the state;

6 h. [~~"Board of cooperative educational services"~~] "NY polytechnical
7 institute" shall have the same meaning as in section nineteen hundred
8 fifty of the education law.

9 a. There is hereby created within the disaster preparedness commission
10 an intrastate mutual aid program committee, for purposes of this section
11 to be referred to as the committee, which shall be chaired by the
12 commissioner of the division of homeland security and emergency
13 services, and shall include the state fire administrator, the commis-
14 sioner of health, the commissioner of education and the commissioner of
15 agriculture and markets, provided that each such official may appoint a
16 designee to serve in [~~his or her~~] their place on the committee. The
17 committee shall also include five representatives from local public
18 safety or emergency response agencies and one representative from a
19 school district or [~~board of cooperative educational services~~] NY poly-
20 technical institute. Such representatives, who shall serve a maximum
21 two-year term, shall be appointed by the commissioner of the division of
22 homeland security and emergency services, with regard to a balance of
23 geographic representation and discipline expertise.

24 a. Subject to the restrictions on school districts and [~~boards of~~
25 ~~cooperative educational services~~] NY polytechnical institutes set forth
26 in subdivision one of this section, the state or a participating local
27 government may request assistance of other participating local govern-
28 ments in preventing, mitigating, responding to and recovering from
29 disasters that result in the declaration of a state disaster emergency
30 or locally-declared emergencies, or for the purpose of conducting
31 multi-jurisdictional or regional training, drills or exercises. Requests
32 for assistance may be made verbally or in writing; verbal requests shall
33 be memorialized in writing as soon thereafter as is practicable.
34 Notwithstanding the provisions of section twenty-five of this article,
35 the local emergency management director shall have the authority to
36 request and accept assistance and deploy the local resources of [~~his or~~
37 ~~her~~] their jurisdiction under the intrastate mutual aid program. The
38 director of the state office of emergency management is authorized to
39 request and accept assistance pursuant to this section.

40 § 171. Paragraph (c) of subdivision 40 of section 292 of the executive
41 law, as amended by chapter 654 of the laws of 2021 and such subdivision
42 as renumbered by chapter 748 of the laws of 2022, is amended to read as
43 follows:

44 (c) any public school, including any school district, [~~board of coop-~~
45 ~~erative educational services~~] NY polytechnical institute, public college
46 or public university.

47 § 172. Subdivision 1 of section 972 of the executive law, as added by
48 chapter 618 of the laws of 1983, is amended to read as follows:

49 1. In developing the job training and special services plan required
50 by section one hundred twenty-one of the act, the governor shall provide
51 guidelines and criteria for coordinating the activities to be funded
52 with moneys under the act with related activities of the state education
53 department, local school districts including the [~~boards of cooperative~~
54 ~~educational services~~] NY polytechnical institutes, the state vocational
55 education advisory council, the department of social services and the
56 local social services districts, the department of labor including the

1 job service, the office of vocational rehabilitation, the department of
2 commerce, the division for youth, post-secondary institutions in the
3 state particularly community colleges and other institutions providing
4 technical training opportunities, the department of commerce and other
5 state and local agencies and authorities involved in economic develop-
6 ment activities.

7 § 173. Paragraph f of subdivision 2 of section 974 of the executive
8 law, as added by chapter 618 of the laws of 1983 and as relettered by
9 chapter 619 of the laws of 1983, is amended to read as follows:

10 f. recommendations for better utilization of educational resources in
11 the workforce preparation field with specific attention to eliminating
12 duplicative efforts and coordinating programming efforts between [~~boards~~
13 ~~of cooperative educational services~~] NY polytechnical institutes and
14 community colleges;

15 § 174. Subdivision 5 of section 6-j of the general municipal law, as
16 added by chapter 433 of the laws of 1987, is amended to read as follows:

17 5. If at the end of any fiscal year the moneys in such fund shall
18 exceed the amounts required to be paid pursuant to subdivision four of
19 this section plus any additional amount required to pay all pending
20 claims, the governing board of the municipal corporation, school
21 district, [~~board of cooperative educational services~~] NY polytechnical
22 institute or fire district may, within sixty days of the close of such
23 fiscal year, elect to: (a) transfer said excess, or any part thereof, to
24 any fund authorized by this article or section thirty-six hundred
25 fifty-one of the education law; and/or (b) apply said excess, or any
26 part thereof to the budget appropriation of the next succeeding fiscal
27 year.

28 § 175. Section 6-m of the general municipal law, as added by chapter
29 616 of the laws of 1977, subdivision 3 as amended by chapter 708 of the
30 laws of 1992 and subdivision 5 as added and subdivision 6 as renumbered
31 by chapter 433 of the laws of 1987, is amended to read as follows:

32 § 6-m. Unemployment insurance payment reserve fund. 1. The governing
33 board of any municipal corporation, school district, [~~board of cooper-~~
34 ~~ative educational services~~] NY polytechnical institute, or fire district
35 which has elected to become liable for payments in lieu of contributions
36 required of employers liable for contributions under article eighteen of
37 the labor law may establish a reserve fund to be known as an unemploy-
38 ment insurance payment reserve fund.

39 2. There may be paid into such fund (a) such amounts as may be
40 provided therefor by budgetary appropriations, (b) amounts from any
41 other fund authorized by this chapter by resolution subject to permis-
42 sive referendum, and (c) such other funds as may be legally appropri-
43 ated.

44 3. The moneys in such fund shall be deposited and secured in the
45 manner provided by section ten of this article. The governing board, or
46 the chief fiscal officer of such municipality, school district, [~~board~~
47 ~~of cooperative educational services~~] NY polytechnical institute, or fire
48 district, if the governing board shall delegate such duty to [~~him~~] them,
49 may invest the moneys in such fund in the manner provided by section
50 eleven of this article. Any interest earned or capital gain realized on
51 the money so deposited or invested shall accrue to and become part of
52 such fund. The separate identity of such fund shall be maintained wheth-
53 er its assets consist of cash or investments or both.

54 4. An expenditure shall be made from such fund only as required by law
55 to pay into the unemployment insurance fund an amount equivalent to the
56 amount of benefits paid to claimants and charged to the account of such

1 municipal corporation, school district, [~~board of cooperative educa-~~
2 ~~tional services~~] NY polytechnical institute, or fire district in accord-
3 ance with the provisions of paragraph (e) of subdivision one of section
4 five hundred eighty-one of the labor law.

5 5. If at the end of any fiscal year the moneys in such fund shall
6 exceed the amounts required to be paid pursuant to subdivision four of
7 this section plus any additional amount required to pay all pending
8 claims, the governing board of the municipal corporation, school
9 district, [~~board of cooperative educational services~~] NY polytechnical
10 institute or fire district may, within sixty days of the close of such
11 fiscal year, elect to: (a) transfer said excess, or any part thereof, to
12 any fund authorized by this article or section thirty-six hundred
13 fifty-one of the education law; and/or (b) apply said excess, or any
14 part thereof to the budget appropriation of the next succeeding fiscal
15 year.

16 6. If the municipal corporation, school district, [~~board of cooper-~~
17 ~~ative educational services~~] NY polytechnical institute, or fire district
18 shall, after the establishment of such fund, terminate its election to
19 become liable for payments in lieu of contributions, the moneys remain-
20 ing in such fund may be transferred to any other fund authorized by this
21 chapter or section thirty-six hundred fifty-one of the education law,
22 only to the extent that the moneys in such fund shall exceed in amount
23 the sum sufficient to pay all pending claims.

24 § 176. Paragraph a of subdivision 1 of section 6-n of the general
25 municipal law, as amended by chapter 819 of the laws of 1986, is amended
26 to read as follows:

27 a. "Municipal corporation," as used in this section, shall mean a
28 municipal corporation, as defined in section two of this chapter, school
29 district, except a school district in a city with a population of one
30 hundred twenty-five thousand or more, [~~board of cooperative educational~~
31 ~~services~~] NY polytechnical institute, fire district, a district corpo-
32 ration and a special improvement district governed by a separate board
33 of commissioners.

34 § 177. Paragraph (a) of subdivision 1 and subdivision 11 of section
35 6-p of the general municipal law, paragraph (a) of subdivision 1 as
36 added by chapter 518 of the laws of 1996 and subdivision 11 as added by
37 section 80 of part A of chapter 58 of the laws of 2011, are amended to
38 read as follows:

39 (a) "Municipal corporation" shall mean a municipal corporation, as
40 defined in section two of this chapter, school district, except a school
41 district in a city with a population of one hundred twenty-five thousand
42 or more, [~~board of cooperative educational services~~] NY polytechnical
43 institute, fire district, a district corporation and a special improve-
44 ment district governed by a separate board of commissioners.

45 11. Notwithstanding any other provision of law to the contrary, a
46 [~~board of cooperative educational services~~] NY polytechnical institute
47 that has been determined upon state audit or in its annual independent
48 audit to have accumulated an excess in such fund over the sum sufficient
49 to pay all liabilities incurred or accrued against it shall withdraw the
50 amount of such excess as of the date of withdrawal and shall distribute
51 such amount to all school districts that paid to such [~~board of cooper-~~
52 ~~ative educational services~~] NY polytechnical institute moneys that were
53 deposited to such fund in the same proportion as the total payments from
54 such school district into such fund bears to the total payments from all
55 school districts into such fund, or, at the request of the school
56 district, may use such amount to offset the administrative and capital

1 expenses payable by the school district in the current school year, and
2 any such amount attributable to an approved cost of service computed
3 pursuant to subdivision five of section nineteen hundred fifty of the
4 education law shall not be included in the approved cost of services
5 computed pursuant to subdivision five of section nineteen hundred fifty
6 of the education law. Such withdrawal shall be made within thirty days
7 after the audit becomes final or within thirty days after this subdivi-
8 sion takes effect, whichever is later.

9 § 178. Paragraph a of subdivision 1 of section 6-r of the general
10 municipal law, as added by chapter 260 of the laws of 2004, is amended
11 to read as follows:

12 a. "Municipal corporation" means a municipal corporation as defined in
13 section two of this chapter, school district (except a school district
14 in a city with a population of one hundred twenty-five thousand or
15 more), ~~[board of cooperative educational services]~~ NY polytechnical
16 institute, fire district, district corporation, police district, and
17 special improvement district governed by a separate board of commission-
18 ers.

19 § 179. Paragraph a of subdivision 1 of section 10 of the general
20 municipal law, as amended by chapter 623 of the laws of 1998, is amended
21 to read as follows:

22 a. "Local government" shall mean any municipal corporation, school
23 district, ~~[board of cooperative educational services]~~ NY polytechnical
24 institute, district corporation, special improvement district governed
25 by a separate board of commissioners, industrial development agency or
26 authority or a public library.

27 § 180. Subdivision 3 of section 30 of the general municipal law, as
28 amended by chapter 200 of the laws of 1973, is amended to read as
29 follows:

30 3. An annual report of financial transactions shall be made by the
31 treasurer of each public library and library service system established
32 pursuant to section two hundred fifty-five of the education law, each
33 county vocational education board established pursuant to section eleven
34 hundred one of the education law and each ~~[board of cooperative educa-~~
35 ~~tional services]~~ NY polytechnical institute established pursuant to
36 section nineteen hundred ~~[fifty-eight]~~ fifty of the education law.

37 § 181. Subdivision 4 of section 31 of the general municipal law, as
38 added by chapter 413 of the laws of 1991, is amended to read as follows:

39 4. A detailed statement of installment purchase contracts entered into
40 by a municipal corporation, school district, district corporation or
41 ~~[board of cooperative educational services]~~ NY polytechnical institute,
42 the provisions made for the payment thereof, the purposes for which such
43 contract was entered into, whether such contract was financed by the
44 execution and delivery of certificates of participation, and such other
45 information as the comptroller shall require.

46 § 182. Subdivision 2 of section 33 of the general municipal law, as
47 added by chapter 267 of the laws of 2005, paragraph b as amended by
48 section 24 of subpart F of part C of chapter 97 of the laws of 2011, is
49 amended to read as follows:

50 2. Audits of school districts, ~~[boards of cooperative educational~~
51 ~~services (BOCES)]~~ NY polytechnical institutes and charter schools. a.
52 Notwithstanding any other provisions of law to the contrary, the
53 inspection and examination of school districts, charter schools and
54 ~~[boards of cooperative educational services]~~ NY polytechnical institutes
55 accounts shall be conducted pursuant to provisions of this subdivision.
56 Within such funds as are made available for such purpose, the comp-

1 troller shall cause the accounts of every school district, [BOCES] NY
2 polytechnical institute and charter school in the state to be examined
3 pursuant to a plan developed by the comptroller. Such audits shall be
4 conducted in a manner so as to provide, that every school district,
5 [BOCES] NY polytechnical institute and charter school shall be audited
6 at least once by March thirty-first, two thousand ten. The priority and
7 frequency of such audits, and any audits conducted thereafter, shall be
8 based upon a risk assessment process conducted by the comptroller which
9 may include investigations of alleged improprieties, previous audit
10 findings and recommendations, or other financial performance indicators.
11 The comptroller shall provide affected school districts, [BOCES] NY
12 polytechnical institutes and charter schools reasonable prior notice
13 before the commencement of any audit.

14 b. In undertaking such audits the comptroller's review shall include,
15 but not be limited to:

16 (1) examining, auditing and evaluating financial documents and records
17 of school districts, [BOCES] NY polytechnical institutes and charter
18 schools,

19 (2) assessing the current financial practices of school districts,
20 [BOCES] NY polytechnical institutes and charter schools to ensure that
21 they are consistent with established standards, including whether any
22 school district that uses a risk-based or sampling methodology to deter-
23 mine which claims are to be audited in lieu of auditing all claims has
24 adopted a methodology that provides reasonable assurance that all the
25 claims represented in the sample are proper charges against the school
26 district; and

27 (3) determining that school districts, [BOCES] NY polytechnical insti-
28 tutes, and charter schools provide for adequate protections against any
29 fraud, theft, or professional misconduct.

30 c. All audits shall include any appropriate findings and recommenda-
31 tions of the auditors, regarding the fiscal practices that the auditors
32 believe to be in violation of, any state or federal law, rule or regu-
33 lation, or demonstrate negligence or incompetence.

34 d. The office of the state comptroller shall upon making a finding of
35 misconduct refer any findings of fraud, abuse or other conduct consti-
36 tuting a crime that are uncovered during the course of an audit, as
37 appropriate, to the commissioner of education, the charter entity, the
38 attorney general, United States attorney or district attorney having
39 jurisdiction for appropriate action, together with any documents
40 supporting the auditors' findings.

41 e. The final audit report resulting from audits performed pursuant to
42 this section shall be made available to the public by school districts,
43 [BOCES] NY polytechnical institutes or charter schools upon request for
44 a period of at least five years. Furthermore, the school district,
45 [BOCES] NY polytechnical institute, or charter school shall be required
46 to post the final audit report on their internet website, if available,
47 or otherwise make available, for a period of five years.

48 f. Upon the request of the comptroller, any state agency, [~~board of~~
49 ~~cooperative educational services~~] NY polytechnical institute, school
50 district or charter school, shall cooperate with and make its staff,
51 facilities, and resources available to the comptroller for the purpose
52 of assisting the comptroller in carrying out all actions taken pursuant
53 to this section, and shall provide the comptroller upon request, with
54 all data and records in its possession that relate to audits undertaken
55 pursuant to this section.

1 g. The comptroller shall inform and advise the governor and the legis-
2 lature in December of each year regarding a review of all school
3 districts, [~~BOGES~~] NY polytechnical institutes, and charter schools
4 audits conducted during the preceding twelve months and any other perti-
5 nent information the comptroller deems appropriate.

6 § 183. Subdivision 1 of section 39 of the general municipal law, as
7 added by chapter 708 of the laws of 1992, is amended to read as follows:

8 1. Each local government, which for purposes of this section shall
9 include counties, cities, towns, villages, school districts including
10 [~~boards of cooperative educational services~~] NY polytechnical institutes
11 and district corporations, within the meaning of that term as set out in
12 subdivision three of section sixty-six of the general construction law,
13 or any other governmental subdivision of the state, shall by resolution
14 adopt a comprehensive investment policy which details the local govern-
15 ment's operative policy and instructions to officers and staff regarding
16 the investing, monitoring and reporting of funds of the local govern-
17 ment. The investment policy shall be annually reviewed by the local
18 government.

19 § 184. Subdivision (a) of section 72-h of the general municipal law,
20 as amended by chapter 562 of the laws of 1990, is amended to read as
21 follows:

22 (a) Notwithstanding any provision of any general, special or local law
23 or of any charter, the supervisors of a county, the town board of a
24 town, the board of trustees of a village, the board of fire commission-
25 ers of a fire district, the board of estimate of a city, or if there be
26 none the local legislative body of such city, and, in a city having a
27 population of one million or more, the mayor, subject to disapproval by
28 the council within thirty days following receipt of notice of the
29 approval of the mayor, may sell, transfer or lease to or exchange with
30 any municipal corporation or municipal corporations, school district,
31 [~~board of cooperative educational services~~] NY polytechnical institute,
32 fire district, the state of New York, or the government of the United
33 States and any agency or department thereof, either without consider-
34 ation or for such consideration and upon such terms and conditions as
35 shall be approved by such officer or body, any real property owned by
36 such county, town, village, fire district or city; and any municipal
37 corporation or fire district may acquire or lease such real property as
38 provided in this section. The term of any lease entered into pursuant to
39 the provisions of this section shall not exceed ten years but nothing
40 herein contained shall prevent the renewal of any such lease.

41 § 185. Paragraph (b) of subdivision 1 of section 77-b of the general
42 municipal law, as added by chapter 413 of the laws of 1974, is amended
43 to read as follows:

44 (b) Governing [~~Board~~] board. A common council, board of aldermen, city
45 council, or board of estimate of a city, the county legislature or board
46 of supervisors of a county, the town board of a town, the board of trus-
47 tees of a village, the board of education of a school district, the
48 [~~board of cooperative educational services~~] NY polytechnical institute,
49 the board of commissioners of an improvement district, the board of
50 directors of a soil conservation district, the trustees of a public
51 library, the trustees of a community college, and the board of fire
52 commissioners of a fire district.

53 § 186. Section 88-a of the general municipal law, as added by chapter
54 51 of the laws of 1958, subdivision 1 as separately amended by chapters
55 166 and 603 of the laws of 1979, subdivision 2 as amended by chapter 513

1 of the laws of 2022 and subdivision 3 as amended by chapter 166 of the
2 laws of 1979, is amended to read as follows:

3 § 88-a. Merit award board to reward employees for suggestions. 1. Any
4 city, county, town, village, school district or [~~board of cooperative~~
5 ~~educational services~~] NY polytechnical institute is hereby authorized
6 and empowered to establish a merit award board for the purpose of
7 rewarding its employees for suggestions which result in a more efficient
8 and economical operation of its government and may raise and expend
9 moneys for the purposes thereof.

10 2. In cities such board shall consist of the mayor, corporation coun-
11 sel and such council members as may be designated by the council and in
12 counties such board shall consist of the chair of the board of supervi-
13 sors and such members thereof as shall be chosen by the board. In towns
14 such board shall consist of the town supervisor and such members as the
15 town council shall designate. In villages such board shall consist of
16 the mayor and members designated by the board of trustees. In school
17 districts, such board shall consist of the president of the board of
18 education and such members thereof as shall be chosen by the board of
19 education. In [~~boards of cooperative educational services~~] NY polytech-
20 nical institutes, such [~~board~~] institute shall consist of the president
21 of the [~~board of cooperative educational services~~] NY polytechnical
22 institute and such members thereof as shall be chosen by the [~~board of~~
23 ~~cooperative educational services~~] NY polytechnical institute.

24 3. Such merit award boards when so established shall make rules and
25 regulations to provide for the rewarding of employees of the munici-
26 pality, school district or [~~board of cooperative educational services~~]
27 NY polytechnical institute for the purposes hereinbefore set forth.

28 4. Nothing herein contained shall in any way add to or diminish the
29 existing powers of the city of New York with reference to establishment
30 of a merit award board, and its powers.

31 § 187. Subdivision 1 of section 99-h of the general municipal law, as
32 amended by chapter 148 of the laws of 1981, is amended to read as
33 follows:

34 1. As used in this section the term "municipal corporation" shall mean
35 a county, city, town, village, school district, or [~~board of cooperative~~
36 ~~educational services~~] NY polytechnical institute of this state or a
37 board of higher education in a city having a population of one million
38 or more.

39 § 188. Section 99-p of the general municipal law, as added by chapter
40 220 of the laws of 1986, is amended to read as follows:

41 § 99-p. Municipality, district corporation or school district as
42 reciprocal insurer. Any county, town, city, village, district corpo-
43 ration (as defined in paragraph three of section 2.00 of the local
44 finance law), or school district and [~~board of cooperative educational~~
45 ~~services~~] NY polytechnical institute, may become a subscriber to a
46 municipal reciprocal insurer formed under article sixty-one of the
47 insurance law.

48 § 189. Paragraphs (e) and (f) of subdivision 1 and subdivision 2 of
49 section 99-w of the general municipal law, as added by chapter 439 of
50 the laws of 2012, are amended to read as follows:

51 (e) "municipal corporation" means a county, city, town, village,
52 school district or [~~board of cooperative educational services~~] NY poly-
53 technical institute; and

54 (f) "legislative body" means the board of supervisors, board of
55 [~~aldermen~~] alderperson, common council, council, commission, town board,
56 board of trustees or other elective governing board or body of a munici-

1 pality now or hereafter vested by state statute, charter or other law
2 with jurisdiction to initiate and adopt local laws and ordinances,
3 whether or not such local laws or ordinances require approval of the
4 elective chief executive officer or other official or body to become
5 effective; provided however, in the case of a school district shall mean
6 the board of education, board of trustees or sole trustee, as the case
7 may be; and provided further, in the case of a [~~board of cooperative~~
8 ~~educational services~~] NY polytechnical institute shall mean the elected
9 members of the [~~board of cooperative educational services~~] NY polytech-
10 nical institute.

11 2. Prior to any change in status of a military monument or military
12 memorial erected or constructed pursuant to sections two hundred twen-
13 ty-six of the county law, eighty-one of the town law, seventy-two and
14 seventy-seven-a of [~~the general municipal law~~] this article or where the
15 military monument or military memorial receives a real property tax
16 exemption pursuant to section four hundred forty-four-a of the real
17 property tax law, the legislative body of the municipal corporation
18 where the military monument or military memorial is situated shall adopt
19 a local law, by a two-thirds vote of its members, or in the case of a
20 school district or [~~board of cooperative educational services~~] NY poly-
21 technical institute a resolution, by a two-thirds vote of its members,
22 to authorize such change in status. At least ninety days prior to the
23 adoption of such local law, the municipal corporation shall hold at
24 least one public hearing. Such public hearing shall be on such notice as
25 is required by section twenty of the municipal home rule law. Notice of
26 such public hearing shall also be posted in at least five public places,
27 and shall be advertised for three consecutive days in at least one news-
28 paper of general circulation in the municipal corporation, which shall
29 be the official newspaper if one exists, within fifteen days of such
30 public hearing. The municipal corporation shall also post such notice on
31 its official website, if one exists, for at least fifteen days prior to
32 such hearing. Written notice shall also be sent by certified mail to the
33 chief executive officer of the municipal corporation, if one exists,
34 prior to the publication of the notice requirements required by this
35 subdivision.

36 § 190. Paragraph (b) of subdivision 2 of section 99-x of the general
37 municipal law, as added by chapter 554 of the laws of 2021, is amended
38 to read as follows:

39 (b) "Municipality" shall mean any county, town, village, city, [~~board~~
40 ~~of cooperative educational services~~] NY polytechnical institute, other
41 special district, or any office or agency thereof.

42 § 191. Subdivision 1 of section 100 of the general municipal law, as
43 amended by chapter 1034 of the laws of 1965, is amended to read as
44 follows:

45 1. "Political subdivision" means a municipal corporation, school
46 district, district corporation and [~~board of cooperative educational~~
47 ~~services~~] NY polytechnical institute.

48 § 192. Subdivision 1 of section 103 of the general municipal law, as
49 amended by chapter 668 of the laws of 2023, is amended to read as
50 follows:

51 1. Except as otherwise expressly provided by an act of the legislature
52 or by a local law adopted prior to September first, nineteen hundred
53 fifty-three, all contracts for public work involving an expenditure of
54 more than thirty-five thousand dollars and all purchase contracts
55 involving an expenditure of more than twenty thousand dollars, shall be
56 awarded by the appropriate officer, board or agency of a political

1 subdivision or of any district therein including but not limited to a
2 soil conservation district to the lowest responsible bidder furnishing
3 the required security after advertisement for sealed bids in the manner
4 provided by this section, provided, however, that purchase contracts
5 (including contracts for service work, but excluding any purchase
6 contracts necessary for the completion of a public works contract pursu-
7 ant to article eight of the labor law) may be awarded on the basis of
8 best value, as defined in section one hundred sixty-three of the state
9 finance law, to a responsive and responsible bidder or offerer in the
10 manner provided by this section except that in a political subdivision
11 other than a city with a population of one million inhabitants or more
12 or any district, board or agency with jurisdiction exclusively therein
13 the use of best value for awarding a purchase contract or purchase
14 contracts must be authorized by local law or, in the case of a district
15 corporation, school district or ~~[board of cooperative educational~~
16 ~~services]~~ NY polytechnical institute, by rule, regulation or resolution
17 adopted at a public meeting. In any case where a responsible bidder's or
18 responsible offerer's gross price is reducible by an allowance for the
19 value of used machinery, equipment, apparatus or tools to be traded in
20 by a political subdivision, the gross price shall be reduced by the
21 amount of such allowance, for the purpose of determining the best value.
22 In cases where two or more responsible bidders furnishing the required
23 security submit identical bids as to price, such officer, board or agen-
24 cy may award the contract to any of such bidders. Such officer, board or
25 agency may, in ~~[his or her]~~ their or its discretion, reject all bids or
26 offers and readvertise for new bids or offers in the manner provided by
27 this section. In determining whether a purchase is an expenditure within
28 the discretionary threshold amounts established by this subdivision, the
29 officer, board or agency of a political subdivision or of any district
30 therein shall consider the reasonably expected aggregate amount of all
31 purchases of the same commodities, services or technology to be made
32 within the twelve-month period commencing on the date of purchase.
33 Purchases of commodities, services or technology shall not be arti-
34 ficially divided for the purpose of satisfying the discretionary buying
35 thresholds established by this subdivision. A change to or a renewal of
36 a discretionary purchase shall not be permitted if the change or renewal
37 would bring the reasonably expected aggregate amount of all purchases of
38 the same commodities, services or technology from the same provider
39 within the twelve-month period commencing on the date of the first
40 purchase to an amount greater than the discretionary buying threshold
41 amount. For purposes of this section, "sealed bids" and "sealed offers",
42 as that term applies to purchase contracts, (including contracts for
43 service work, but excluding any purchase contracts necessary for the
44 completion of a public works contract pursuant to article eight of the
45 labor law) shall include bids and offers submitted in an electronic
46 format including submission of the statement of non-collusion required
47 by section one hundred three-d of this article, provided that the
48 governing board of the political subdivision or district, by resolution,
49 has authorized the receipt of bids and offers in such format. Submission
50 in electronic format may, for technology contracts only, be required as
51 the sole method for the submission of bids and offers. Provided however,
52 the appropriate officer, board or agency of a city with a population of
53 one million inhabitants or more, or any district, board or agency with
54 jurisdiction exclusively within such city, may authorize or require bids
55 and offers for any contract to be submitted in an electronic format.
56 Bids and offers submitted in an electronic format shall be transmitted

1 by bidders and offerers to the receiving device designated by the poli-
2 tical subdivision or district. Any method used to receive electronic
3 bids and offers shall comply with article three of the state technology
4 law, and any rules and regulations promulgated and guidelines developed
5 thereunder and, at a minimum, must (a) document the time and date of
6 receipt of each bid and offer received electronically; (b) authenticate
7 the identity of the sender; (c) ensure the security of the information
8 transmitted; and (d) ensure the confidentiality of the bid or offer
9 until the time and date established for the opening of bids or offers.

10 The timely submission of an electronic bid or offer in compliance with
11 instructions provided for such submission in the advertisement for bids
12 or offers and/or the specifications shall be the responsibility solely
13 of each bidder or offerer or prospective bidder or offerer. No political
14 subdivision or district therein shall incur any liability from delays of
15 or interruptions in the receiving device designated for the submission
16 and receipt of electronic bids and offers.

17 § 193. Subdivision 1 of section 103 of the general municipal law, as
18 amended by section 2 of chapter 2 of the laws of 2012, is amended to
19 read as follows:

20 1. Except as otherwise expressly provided by an act of the legislature
21 or by a local law adopted prior to September first, nineteen hundred
22 fifty-three, all contracts for public work involving an expenditure of
23 more than thirty-five thousand dollars and all purchase contracts
24 involving an expenditure of more than twenty thousand dollars, shall be
25 awarded by the appropriate officer, board or agency of a political
26 subdivision or of any district therein including but not limited to a
27 soil conservation district to the lowest responsible bidder furnishing
28 the required security after advertisement for sealed bids in the manner
29 provided by this section, provided, however, that purchase contracts
30 (including contracts for service work, but excluding any purchase
31 contracts necessary for the completion of a public works contract pursu-
32 ant to article eight of the labor law) may be awarded on the basis of
33 best value, as defined in section one hundred sixty-three of the state
34 finance law, to a responsive and responsible bidder or offerer in the
35 manner provided by this section except that in a political subdivision
36 other than a city with a population of one million inhabitants or more
37 or any district, board or agency with jurisdiction exclusively therein
38 the use of best value of awarding a purchase contract or purchase
39 contracts must be authorized by local law or, in the case of a district
40 corporation, school district or ~~board of cooperative educational~~
41 ~~services~~ NY polytechnical institute, by rule, regulation or resolution
42 adopted at a public meeting. In determining whether a purchase is an
43 expenditure within the discretionary threshold amounts established by
44 this subdivision, the officer, board or agency of a political subdivi-
45 sion or of any district therein shall consider the reasonably expected
46 aggregate amount of all purchases of the same commodities, services or
47 technology to be made within the twelve-month period commencing on the
48 date of purchase. Purchases of commodities, services or technology shall
49 not be artificially divided for the purpose of satisfying the discre-
50 tionary buying thresholds established by this subdivision. A change to
51 or a renewal of a discretionary purchase shall not be permitted if the
52 change or renewal would bring the reasonably expected aggregate amount
53 of all purchases of the same commodities, services or technology from
54 the same provider within the twelve-month period commencing on the date
55 of the first purchase to an amount greater than the discretionary buying
56 threshold amount. In any case where a responsible bidder's or responsi-

1 ble offerer's gross price is reducible by an allowance for the value of
2 used machinery, equipment, apparatus or tools to be traded in by a poli-
3 tical subdivision, the gross price shall be reduced by the amount of
4 such allowance, for the purpose of determining the low bid or best
5 value. In cases where two or more responsible bidders furnishing the
6 required security submit identical bids as to price, such officer, board
7 or agency may award the contract to any of such bidders. Such officer,
8 board or agency may, in [~~his, her~~] their or its discretion, reject all
9 bids or offers and readvertise for new bids or offers in the manner
10 provided by this section.

11 § 194. Paragraph (a) of subdivision 1 of section 109-b of the general
12 municipal law, as amended by chapter 258 of the laws of 1994, is amended
13 to read as follows:

14 (a) "Political subdivision" shall mean a municipal corporation, school
15 district, district corporation or [~~board of cooperative educational~~
16 ~~services~~] NY polytechnical institute.

17 § 195. Subdivision a of section 119-n of the general municipal law, as
18 amended by chapter 413 of the laws of 1991, is amended to read as
19 follows:

20 a. The term "municipal corporation" means a county outside the city of
21 New York, a city, a town, a village, a [~~board of cooperative educational~~
22 ~~services~~] NY polytechnical institute, fire district or a school
23 district.

24 § 196. Subdivision 4 of section 119-o of the general municipal law, as
25 added by section 2 of part EE of chapter 55 of the laws of 2018, is
26 amended to read as follows:

27 4. Any school district or [~~board of cooperative educational services~~]
28 NY polytechnical institute may join a panel established pursuant to
29 article twelve-I of this chapter, and may further participate in any of
30 the activities of such panel, with any participating county, town, city,
31 village, fire district, fire protection district, or special improvement
32 district participating in such panels. For cooperative agreements which
33 involve functions, services, or provisions permitted by this section,
34 school districts and [~~boards of cooperative educational services~~] NY
35 polytechnical institutes shall be permitted to create and execute such
36 agreements, when a part of the activity of such panel, without opinion
37 or approval of the state education department.

38 § 197. The opening paragraph of subdivision 1 and subdivision 3 of
39 section 239-n of the general municipal law, as amended by chapter 203 of
40 the laws of 1983, are amended to read as follows:

41 Any county outside the city of New York, city, town, village, school
42 district, [~~board of cooperative educational services~~] NY polytechnical
43 institute, or fire district or any combination thereof, may create by
44 agreement an intergovernmental relations council to strengthen local
45 governments and to promote efficient and economical provision of local
46 governmental services within or by such participating municipalities,
47 and to that end such council shall have power to:

48 3. The board of supervisors of a county, the appropriate officials of
49 a city, the governing body of a school district, [~~board of cooperative~~
50 ~~educational services~~] NY polytechnical institute or fire district, the
51 board of trustees of a village, or the town board of a town, is hereby
52 authorized to include annually in the budget and raise by taxation in
53 such county, city, school district, village or town a sum to meet all or
54 an appropriate share of the actual and necessary expenses of establish-
55 ing, maintaining and continuing such intergovernmental relations coun-
56 cil.

§ 198. Paragraph b of subdivision 2 and subdivision 4 of section 239-bb of the general municipal law, as amended by section 1 of part U of chapter 55 of the laws of 2024, are amended to read as follows:

b. The county CEO may invite any school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, fire district, fire protection district, or special improvement district in the county to join a panel. Upon such invitation, the governing body of such school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, fire district, fire protection district, or other special district may accept such invitation by selecting a representative of such governing body, by majority vote, to serve as a member of the panel.

4. While developing a plan, the county CEO shall regularly consult with, and take recommendations from, the representatives: on the panel; of each collective bargaining unit of the county and the cities, towns, and villages; and of each collective bargaining unit of any participating school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, fire district, fire protection district, or special improvement district.

§ 199. Subdivision 9 of section 368 of the general municipal law, as added by chapter 585 of the laws of 1980, is amended to read as follows:

9. For the purposes of this section, school district shall be defined to include a ~~[board of cooperative educational services]~~ NY polytechnical institute, provided however, that the provisions of subdivision three of this section shall not apply to such ~~[boards of cooperative educational services]~~ NY polytechnical institutes, and provided further that:

a. No ~~[board of cooperative educational services]~~ NY polytechnical institute may perform any of the acts authorized under the provisions of this section unless and until (i) a proposition is submitted to the voters of any such ~~[board of cooperative educational services]~~ NY polytechnical institute in accordance with the provisions of subdivision two of section nineteen hundred fifty-one of the education law and (ii) any such ~~[board of cooperative educational services]~~ NY polytechnical institute and all of its component school districts enter into an agreement or agreements providing for the performance of any such acts.

b. No such component school district shall enter into an agreement or agreements unless such agreement or agreements have been approved by a majority vote of the entire voting strength of the board of education of such a component school district.

c. Any such agreement or agreements shall also provide for the sharing of the cost of exploring, developing or producing natural gas and the cost of the natural gas producing facility among each component school district. Such agreement or agreements in addition to providing for all other matters deemed necessary and proper shall (i) set forth the cost of such exploration, development or production of natural gas and the cost of the natural gas producing facility and costs incidental thereto and (ii) provide for an allocation and apportionment of such costs among the component school districts on such equitable basis as the parties thereto shall determine and agree, and the proportion of the total cost to be provided by each such district in accordance with such allocation and apportionment. Such agreement or agreements shall be executed by all the component school districts of such ~~[board of cooperative educational services]~~ NY polytechnical institute and such ~~[board of cooperative educational services]~~ NY polytechnical institute. Such agreement or agreements may provide that each component school district of such a

1 ~~[board of cooperative educational services]~~ NY polytechnical institute
2 shall issue an agreed upon amount of its obligations in a total amount
3 sufficient to acquire or construct such facilities, or that all compo-
4 nent districts of such ~~[board]~~ institute shall together issue joint
5 obligations pledging the full faith and credit for all component
6 districts jointly and that each such district shall pay a specified
7 share of annual debt service on such joint obligations in accordance
8 with the provisions of article ~~[five-g]~~ five-G of this chapter and
9 applicable provisions of the local finance law.

10 d. Each such component school district is authorized to finance its
11 share of the cost of exploring, developing or producing natural gas and
12 the cost of the natural gas producing facility together with the costs
13 incidental to such financing, including, but not limited to legal fees,
14 printing, engraving and publication of notices, either from any current
15 funds legally available therefor, or by the issuance of obligations
16 pursuant to the local finance law; provided, however, that (i) no
17 approval of the voters of such component school district shall be
18 required, (ii) the voting of a special tax or a tax to be collected in
19 installments shall not be a condition precedent to the adoption of a
20 bond resolution for such object or purpose, (iii) a majority vote of the
21 entire voting strength of the board of education shall be sufficient for
22 adoption of such a bond resolution, which bond resolution may be adopted
23 at a regular meeting, or a special meeting of the board of education
24 called on not less than twelve hours oral or written notice, which may
25 be held either within or outside of such district, (iv) any such bond
26 resolution shall be adopted prior to the execution by the ~~[board of~~
27 ~~cooperative educational services]~~ NY polytechnical institute and the
28 component school districts of such ~~[board of cooperative educational~~
29 ~~services]~~ NY polytechnical institute of the agreement required by para-
30 graph b of this subdivision.

31 e. Such agreement shall further provide that title to the natural gas
32 producing facility shall vest in the ~~[board of cooperative educational~~
33 ~~services]~~ NY polytechnical institute which title shall be held by the
34 ~~[board of cooperative educational services]~~ NY polytechnical institute
35 for the benefit and on behalf of all the component school districts of
36 such ~~[board]~~ institute executing such agreement.

37 f. Nothing herein contained shall be construed to permit any school
38 district in a city as defined in subdivision two-b of section 2.00 of
39 the local finance law to contract indebtedness for such specific object
40 or purpose in excess of the limitation prescribed by subdivision b of
41 section 104.00 of such law, without complying with the provisions of
42 subdivision c thereof. A school district, other than a school district
43 in a city, may not issue bonds or bond anticipation notes for such
44 specific object or purpose in excess of the limitation prescribed by
45 subdivision d of section 104.00 of such law, without complying with the
46 requirements of paragraphs one through three of such subdivision.

47 § 200. Subdivisions 4 and 6 of section 800 of the general municipal
48 law, subdivision 4 as amended by chapter 179 of the laws of 1971 and
49 subdivision 6 as amended by chapter 1043 of the laws of 1965, are
50 amended to read as follows:

51 4. "Municipality" means a county, city, town, village, school
52 district, consolidated health district, county vocational education and
53 extension board, public library, ~~[board of cooperative educational~~
54 ~~services]~~ NY polytechnical institute, urban renewal agency, a joint
55 water works system established pursuant to chapter six hundred fifty-
56 four of the laws of nineteen hundred twenty-seven, or a town or county

1 improvement district, district corporation, or other district or a joint
2 service established for the purpose of carrying on, performing or
3 financing one or more improvements or services intended to benefit the
4 health, welfare, safety or convenience of the inhabitants of such
5 governmental units or to benefit the real property within such units, an
6 industrial development agency but shall have no application to a city
7 having a population of one million or more or to a county, school
8 district, or other public agency or facility therein.

9 6. "Treasurer" means a county treasurer, city treasurer, town supervi-
10 sor, village treasurer, school district treasurer, fire district treas-
11 urer, improvement district treasurer, president of a board of health of
12 a consolidated health district, county vocational educational and exten-
13 sion board treasurer, treasurer of a [~~board of cooperative educational~~
14 ~~services~~] NY polytechnical institute, public general hospital treasurer,
15 or other officer possessing similar powers and duties.

16 § 201. Subdivision 24 of section 10 of the highway law, as amended by
17 chapter 540 of the laws of 1978, is amended to read as follows:

18 24. Have power, whenever such commissioner of transportation deems it
19 is necessary as a result of work of construction, reconstruction or
20 maintenance of state highways, to provide at the expense of the state
21 for the removal, relocation, replacement and reconstruction of water
22 mains, sewer pipes, communication systems, fire alarm systems, street
23 lighting, traffic control systems and any other similar facilities that
24 are owned by any municipality and are maintained for public use and to
25 participate in the expense of the removal, relocation, replacement and
26 reconstruction of all other types of facilities or parts thereof that
27 are owned by any municipality and are maintained for public use, the
28 state's share of such expense not to exceed the appraised value of such
29 facilities or parts thereof, as the case may be, as determined by the
30 commissioner of transportation. However, in connection with any feder-
31 ally funded highway project, the commissioner of transportation may
32 agree to pay an amount not to exceed the state's share, based on its
33 proportionate share of the cost of the entire highway project, of the
34 functional replacement cost of any of the aforesaid facilities owned by
35 any municipal corporation, school district, [~~board of cooperative educa-~~
36 ~~tional services~~] NY polytechnical institute, public benefit corporation
37 or any other state or municipal governmental agency where the federal
38 government agrees to pay its share of such functional replacement cost,
39 which shall be based on its proportionate share of the cost of the
40 entire project. If such work requires additional property or if it is
41 necessary that the relocation of such facilities be made to other prop-
42 erty, [~~he~~] they may acquire such property as may be necessary for the
43 purposes of this subdivision, in the same manner as other property is
44 acquired for state highway purposes pursuant to this chapter, and [~~he~~]
45 they may enter into a written agreement with the municipality involved
46 to convey such property as deemed necessary for the purposes of this
47 subdivision to such municipality on terms beneficial to the state. The
48 expense of such removal, relocation, replacement and reconstruction or
49 the state's share thereof, as the case may be, shall be a proper charge
50 against funds available for the construction, reconstruction or mainte-
51 nance of state highways, and such work may be performed by contract in
52 the same manner as provided for state highways in article three of this
53 chapter, or, by the use of departmental forces and equipment and of
54 materials purchased therefor. However, if the commissioner of transpor-
55 tation deems it to be in the interest of the public, [~~he~~] they may
56 contract with the municipality, upon such terms as [~~he~~] they may deem

1 advantageous to the state, to have such work performed (a) by the
2 employment of the forces and the use of the equipment of such munici-
3 pality and by the use of any material on hand or necessary to be
4 purchased by such municipality or (b) by such other method as such
5 commissioner of transportation shall approve or (c) by a combination of
6 the methods provided in this subdivision. Any such municipality is here-
7 by authorized to enter into such contract for the purposes of this
8 subdivision. In all cases pursuant to this section where the state is to
9 pay part of the expense of removal, relocation, replacement and recon-
10 struction of any facilities that are municipally owned and that are
11 maintained for public use, the commissioner of transportation, if [~~he~~
12 ~~deems~~] they deem it in the best interest of the state, may offer to
13 remove, relocate, replace or reconstruct such facilities and may prepare
14 plans, specifications and estimates of cost of such projects, together
15 with an estimate of the share of the expense to be borne by the munici-
16 pality, which shall be submitted to the governing board of such munici-
17 pality. If the municipality approves such plans, specifications and
18 estimates of cost and share of the expense, it shall by resolution
19 appropriate the funds necessary to pay its share of the expense. A
20 certified copy of the resolution shall be filed with the commissioner of
21 transportation and with the state comptroller and the funds shall, prior
22 to the award of a contract, be deposited by the municipality with the
23 state comptroller subject to the draft or requisition of the commission-
24 er of transportation. Upon the completion and acceptance of the work
25 such facilities shall be maintained by the municipality. As used in this
26 subdivision, the term "municipality" shall include a public water
27 authority.

28 § 202. Paragraph 37 and subparagraph (C) of paragraph 51 of subsection
29 (a) of section 107 of the insurance law, paragraph 37 as amended and
30 subparagraph (C) of paragraph 51 as added by chapter 220 of the laws of
31 1986, are amended to read as follows:

32 (37) "Reciprocal insurer" means any aggregation of persons, firms or
33 corporations or, in the alternative, New York counties, towns, cities,
34 villages, district corporations (as defined in paragraph three of
35 section 2.00 of the local finance law), or school districts and [~~boards~~
36 ~~of cooperative educational services~~] NY polytechnical institutes, called
37 "subscribers" in article sixty-one of this chapter, who or which under a
38 common name engage in the business of inter-insurance or exchanging
39 contracts of insurance on the reciprocal plan through an attorney-in-
40 fact having authority to obligate the subscribers severally, within such
41 limits as may lawfully be specified in the subscriber's agreement, on
42 contracts of insurance made with any subscriber as a policyholder
43 through such attorney-in-fact acting on behalf of all other subscribers.
44 Such term includes any reciprocal or inter-insurance exchange, by what-
45 ever name known, and any reference thereto as an insurer shall be deemed
46 to mean any such aggregation of inter-insurers operating through an
47 attorney-in-fact individually and collectively as an insurance organiza-
48 tion for the benefit of its policyholders.

49 (C) a school district, [~~board of cooperative educational services~~] NY
50 polytechnical institute or any other governmental entity or combination
51 or association of governmental entities operating a public school,
52 college, community college or university;

53 § 203. Subsection (f) of section 4702 of the insurance law, as added
54 by chapter 689 of the laws of 1994, is amended to read as follows:

55 (f) "Municipal corporation" means within the state of New York, a city
56 with a population of less than one million or a county outside the city

1 of New York, town, village, [~~board of cooperative educational services~~]
2 NY polytechnical institute, school district, a public library, as
3 defined in section two hundred fifty-three of the education law, or
4 district, as defined in section one hundred nineteen-n of the general
5 municipal law.

6 § 204. Subsection (a) of section 6102 of the insurance law, as amended
7 by chapter 389 of the laws of 2010, is amended to read as follows:

8 (a) Twenty-five or more persons, firms and corporations, each having
9 the qualifications of subscribers as prescribed in this article, may
10 organize a reciprocal insurer to do any one or more of the basic kinds
11 of insurance set forth in subsection (a) of section four thousand one
12 hundred one of this chapter or, in the alternative, twenty-five or more
13 New York counties, towns, cities, villages, district corporations (as
14 defined in paragraph three of section 2.00 of the local finance law), or
15 school districts and [~~boards of cooperative educational services~~] NY
16 polytechnical institutes, each having the qualifications of subscribers
17 as prescribed in this article, may organize statewide municipal recipro-
18 cal insurers to provide any one or more of the basic kinds of insurance
19 set forth in subsection (a) of section four thousand one hundred one of
20 this chapter, except workers' compensation and employers' liability,
21 fidelity and surety other than official undertakings conditioned for the
22 faithful performance of official duties as referenced in section eleven
23 of the public officers law and required by related provisions of the
24 county, town, and village laws, credit and marine and inland marine
25 (except as authorized by the provisions of paragraph two of subsection
26 (b) of section four thousand one hundred two of this chapter) insurance.
27 Such an insurer shall be called, for purposes of this chapter, a "munic-
28 ipal reciprocal insurer" and shall be subject to all the provisions of
29 this chapter applicable to a reciprocal insurer, except where the
30 context otherwise requires. However, any reciprocal insurer authorized
31 to do the business of workers' compensation insurance shall be deemed to
32 be a mutual carrier within the meaning of the definition of that term in
33 section one hundred six of the workers' compensation law and shall be
34 subject to the provisions of article six-A of such law.

35 § 205. Subdivisions 2, 3 and 9 of section 12 of the labor law, as
36 amended by chapter 325 of the laws of 2016, are amended to read as
37 follows:

38 2. When it is jointly determined by the department and the education
39 department that labor market information or forward-facing employment
40 data prepared by the department is adequate in this prepared form, the
41 department shall transmit a copy of such information and data to: every
42 school district in the state of New York maintaining approved career
43 education programs, with a list of such school districts to be furnished
44 to the department by the education department; every [~~board of cooper-~~
45 ~~ative educational services~~] NY polytechnical institute maintaining
46 approved career education programs, with a list of such [~~boards of coop-~~
47 ~~erative educational services~~] NY polytechnical institutes to be
48 furnished to the department by the education department; and every
49 community college and agricultural and technical institute in the state
50 of New York maintaining approved career education programs, with a list
51 of such colleges and institutes to be furnished to the department by the
52 education department. The education department shall regularly update
53 such lists to keep them current and transmit changes to the department
54 expeditiously.

55 3. The commissioner shall transmit to those school districts, [~~boards~~
56 ~~of cooperative educational services~~] NY polytechnical institutes and

1 community colleges and agricultural and technical institutes located
2 within a particular labor market area, labor market information or
3 forward-facing employment data compiled for that area.

4 9. It shall be the responsibility of such school districts, [~~boards of~~
5 ~~cooperative educational services~~] NY polytechnical institutes, and
6 community colleges and agricultural and technical institutes in receipt
7 of such publications and sources of labor market information or
8 forward-facing employment data enumerated in this section to provide
9 copies of such labor market information or forward-facing employment
10 data to those individuals responsible for vocational and educational
11 guidance at such school districts, [~~boards of cooperative educational~~
12 ~~services~~] NY polytechnical institutes, community colleges and agricul-
13 tural and technical institutes.

14 § 206. Subdivision 3 of section 42 of the labor law, as added by
15 section 6 of part E of chapter 389 of the laws of 1997, is amended to
16 read as follows:

17 3. Subject to the limits of available moneys for this program and the
18 approval of the director of the budget, the commissioner, in consulta-
19 tion with the commissioner of education, shall select and make contracts
20 with preference to employment and training providers who have demon-
21 strated effectiveness in serving disadvantaged youth for the purpose of
22 conducting local projects. Such moneys may be used for contractors
23 selected on a competitive basis consistent with executive order number
24 one hundred twenty-seven which expedites and simplifies contracting with
25 not-for-profit agencies. Such employment and training providers shall
26 only include not-for-profit community based organizations, [~~boards of~~
27 ~~cooperative educational services~~] NY polytechnical institutes, post-sec-
28 ondary educational agencies, grant recipients or administrative entities
29 of the service delivery areas (hereinafter referred to as SDAs), as may
30 be defined by the Federal Job Training Partnership Act (hereinafter
31 referred to as JTPA) or its successor program or in the absence of such,
32 as defined by the commissioner, joint apprentice committees, labor
33 organizations, and public and private employers. Preference in
34 selection of such contractors shall be given to qualified and experi-
35 enced community based organizations with proven ability to administer
36 such programs.

37 § 207. Paragraph (a) of subdivision 1 of section 475 of the labor law,
38 as added by chapter 288 of the laws of 1988, is amended to read as
39 follows:

40 (a) For the purposes of this section places of public assembly shall
41 be those with an occupancy capacity of at least five thousand persons
42 and shall include: (i) all stadiums, ballparks, gymnasiums, fieldhouses,
43 arenas, civic centers and similar facilities used for the conduct of
44 sporting events; and (ii) concert halls, recital halls, theatres, indoor
45 and outdoor amphitheatres or other auditoriums used for the presentation
46 of musical renditions or concerts by living persons who appear in the
47 immediate presence of their audience and which rely primarily for effect
48 on the use of electronic amplification of accompaniment and principal
49 voice or instrument together with visual and other special effects and
50 whose musical renditions or concerts are represented by the performers
51 to be, or advertised by the management of such halls, theatres, amphi-
52 theatres or auditoriums as, rock and/or rapp renditions or concerts.
53 Such places of public assembly shall include the means of ingress there-
54 to and egress therefrom. Places of public assembly shall not include
55 halls owned by churches, religious organizations, granges, public asso-
56 ciations, free libraries as defined by section two hundred fifty-three

1 of the education law, and facilities for the performance of sporting
2 events or rock and/or rapp musical renditions owned and used by public
3 and nonpublic primary and secondary schools and [~~boards of cooperative~~
4 ~~educational services~~] NY polytechnical institutes.

5 § 208. Subparagraph (iii) of paragraph (c) of subdivision 2 of section
6 591-a of the labor law, as amended by chapter 398 of the laws of 2018,
7 is amended to read as follows:

8 (iii) are participating in self-employment assistance activities
9 approved by the department and by the department of economic development
10 which include but need not be limited to entrepreneurial training, busi-
11 ness counseling, and technical assistance, including financing assist-
12 ance for qualified individuals as appropriate, offered by entrepreneur-
13 ship assistance centers established pursuant to section two hundred
14 eleven of the economic development law, state university of New York
15 small business development centers, programs offered by community-based
16 organizations, local development corporations, and [~~boards of cooper-~~
17 ~~ative educational services (BOCES)~~] NY polytechnical institutes as
18 established pursuant to section one thousand nine hundred fifty of the
19 education law; and, unless otherwise required by federal law or regu-
20 lation, no individual shall be prohibited from or disqualified from
21 eligibility for the program if prior to applying for the program, an
22 individual has printed business cards or has a website that is designed
23 but not active, and neither are being used to solicit or conduct busi-
24 ness;

25 § 209. The second closing paragraph of subdivision 5 of section 651 of
26 the labor law, as amended by chapter 481 of the laws of 2010, is amended
27 to read as follows:

28 "Employee" also includes any individual employed or permitted to work
29 in any non-teaching capacity by a school district or [~~board of cooper-~~
30 ~~ative educational services~~] NY polytechnical institute except that the
31 provisions of sections six hundred fifty-three through six hundred
32 fifty-nine of this article shall not be applicable in any such case.

33 § 210. Paragraph (a) of subdivision 1 of section 816-b of the labor
34 law, as amended by chapter 669 of the laws of 2023, is amended to read
35 as follows:

36 (a) "governmental entity" shall mean the state, any state agency, as
37 that term is defined in section two-a of the state finance law, municip-
38 al corporation, commission appointed pursuant to law, school district,
39 district corporation, board of education, [~~board of cooperative educa-~~
40 ~~tional services~~] NY polytechnical institute, soil conservation district,
41 and public benefit corporation;

42 § 210-a. Paragraph (a) of subdivision 1 of section 816-b of the labor
43 law, as added by chapter 571 of the laws of 2001, is amended to read as
44 follows:

45 (a) "governmental entity" shall mean the state, any state agency, as
46 that term is defined in section two-a of the state finance law, municip-
47 al corporation, commission appointed pursuant to law, school district,
48 district corporation, board of education, [~~board of cooperative educa-~~
49 ~~tional services~~] NY polytechnical institute, soil conservation district,
50 and public benefit corporation; and

51 § 211. Subdivision 2-c of section 2.00 of the local finance law, as
52 added by chapter 914 of the laws of 1977, is amended to read as follows:

53 2-c. The term [~~"board of cooperative educational services"~~] "NY poly-
54 technical institute" shall mean any [~~board of cooperative educational~~
55 ~~services~~] NY polytechnical institute, as defined in section nineteen
56 hundred fifty of the education law, and such [~~board~~] institute shall,

solely for the purpose of contracting indebtedness pursuant to section 25.00 of this chapter, be deemed to be a school district.

§ 212. Subdivision 29-a of paragraph a of section 11.00 of the local finance law, as amended by section 8 of subpart A of part B of chapter 56 of the laws of 2022, is amended to read as follows:

29-a. Transit motor vehicles. The purchase of municipally owned omnibus or similar surface transit motor vehicles, ten years; and the purchase of zero-emission school buses owned by a school district defined pursuant to paragraph two of section 2.00 of this chapter, a city school district with a population of more than one hundred twenty-five thousand inhabitants, or [~~board of cooperative educational services~~] NY polytechnical institute, twelve years.

§ 212-a. Subdivision 29-a of paragraph a of section 11.00 of the local finance law, as amended by chapter 563 of the laws of 2024, is amended to read as follows:

29-a. Transit motor vehicles. The purchase of municipally owned omnibus or similar surface transit motor vehicles, ten years; and the purchase of zero-emission school buses owned by a school district defined pursuant to paragraph two of section 2.00 of this chapter, a city school district with a population of more than one hundred twenty-five thousand inhabitants, or [~~board of cooperative educational services~~] NY polytechnical institute, eight years.

§ 213. Paragraph i of section 25.00 of the local finance law, as added by chapter 914 of the laws of 1977, is amended to read as follows:

i. (a) A [~~board of cooperative educational services~~] NY polytechnical institute may issue revenue anticipation notes, as authorized by paragraph g of subdivision four of section nineteen hundred fifty of the education law, in anticipation of money to be received from the state, the United States government, and from its component school districts for services or for administrative and clerical expenses.

(b) For the purposes of this [~~subdivision~~] paragraph i, and for the purposes of sections 30.00 and 39.00 and titles four, five, six and twelve of this chapter, the [~~board of cooperative educational services~~] NY polytechnical institute shall be the finance board, its president shall be its chief fiscal officer, and its fiscal year shall be the fiscal year of its component school districts; provided, further, that the provision of section 162.00 of this chapter shall be applicable to revenue anticipation notes issued under this [~~subdivision~~] paragraph.

§ 214. Subdivisions (j) and (l) of section 19.07 of the mental hygiene law, subdivision (j) as amended by chapter 146 of the laws of 2014 and subdivision (l) as added by chapter 323 of the laws of 2018, are amended to read as follows:

(j) The office, in consultation with the state education department, shall identify or develop materials on problem gambling among school-age youth which may be used by school districts and [~~boards of cooperative educational services~~] NY polytechnical institutes, at their option, to educate students on the dangers and consequences of problem gambling as they deem appropriate. Such materials shall be available on the internet website of the state education department. The internet website of the office shall provide a hyperlink to the internet page of the state education department that displays such materials.

(l) The office of [~~alcoholism and substance abuse services~~] addiction services and supports, in consultation with the state education department, shall develop or utilize existing educational materials to be provided to school districts and [~~boards of cooperative educational services~~] NY polytechnical institutes for use in addition to or in

1 conjunction with any drug and alcohol related curriculum regarding the
2 misuse and abuse of alcohol, tobacco, prescription medication and other
3 drugs with an increased focus on substances that are most prevalent
4 among school aged youth as such term is defined in section eight hundred
5 four of the education law. Such materials shall be age appropriate for
6 school age children, and to the extent practicable, shall include infor-
7 mation or resources for parents to identify the warning signs and
8 address the risks of substance abuse.

9 § 215. Subparagraph 5 of paragraph (b) and subparagraph (i) of para-
10 graph (d) of subdivision 17 of section 1005 of the public authorities
11 law, as added by chapter 477 of the laws of 2009 and such subdivision as
12 renumbered by section 16 of part CC of chapter 60 of the laws of 2011,
13 are amended to read as follows:

14 (5) "Public entity" means an agency, public authority, public benefit
15 corporation, public corporation, municipal corporation, school district,
16 ~~[board of cooperative educational services]~~ NY polytechnical institute,
17 public university, fire district, district corporation, or special
18 improvement district governed by a separate board of commissioners.

19 (i) Notwithstanding any other provision of law to the contrary, any
20 energy services contract entered into by the authority with any public
21 entity: (1) may have a term of up to thirty-five years duration,
22 provided, however, that the duration of any such contract shall not
23 exceed the reasonably expected useful life of any facilities or equip-
24 ment constructed, installed or operated as part of such energy-related
25 projects, programs and services subject to such contract; and (2) shall
26 contain the following clause: "This contract shall be deemed executory
27 only to the extent of the monies appropriated and available for the
28 purpose of the contract, and no liability on account therefor shall be
29 incurred beyond the amount of such monies. It is understood that neither
30 this contract nor any representation by any public employee or officer
31 creates any legal or moral obligation to request, appropriate or make
32 available monies for the purpose of the contract." A school district or
33 ~~[board of cooperative educational services]~~ NY polytechnical institute
34 may only enter into an energy services contract with the authority for
35 such maximum term as is prescribed in the regulations promulgated by the
36 commissioner of education or the useful life of the facilities or equip-
37 ment being constructed, installed or operated, whichever is less.

38 § 216. Paragraph (d) of subdivision 2 of section 1676 of the public
39 authorities law, as amended by chapter 538 of the laws of 1978, is
40 amended to read as follows:

41 (d) It shall also include, a ~~[board of cooperative educational~~
42 ~~services]~~ NY polytechnical institute school facility, any building,
43 library, laboratory, classroom or other building or structure essential,
44 necessary or useful for instruction in a program of any ~~[board of coop-~~
45 ~~erative educational services]~~ NY polytechnical institute and located in
46 the state of New York.

47 § 217. Section 1676-a of the public authorities law, as added by chap-
48 ter 769 of the laws of 1978, is amended to read as follows:

49 § 1676-a. Payment on authority public work projects. Notwithstanding
50 the provisions of any other law to the contrary, all contracts for
51 public work awarded by the dormitory authority pursuant to this title
52 shall be in accordance with section one hundred thirty-nine-f of the
53 state finance law. For the purposes of this section, public work by the
54 dormitory authority shall include but not be limited to the construction
55 of dormitories and other related structures as defined in paragraph a of
56 subdivision two of section sixteen hundred seventy-six of this title,

1 ~~[boards of cooperative educational services]~~ NY polytechnical institutes
2 as defined in paragraph d of subdivision two of section sixteen hundred
3 seventy-six of this title, locally sponsored community colleges as
4 defined in subdivision seven of section sixteen hundred seventy-six of
5 this title, and the city university as defined in subdivision eight of
6 section sixteen hundred seventy-six of this title.

7 § 218. Subdivision 15 of section 1678 of the public authorities law,
8 as amended by chapter 101 of the laws of 1976, is amended to read as
9 follows:

10 15. The authority shall, notwithstanding any other law, have the power
11 to mortgage, pledge or assign any real or personal property of any
12 dormitory or ~~[board of cooperative educational services]~~ NY polytechni-
13 cal institute school facility as and to the extent authorized by any
14 agreement or lease between the authority and any educational institution
15 as defined in section sixteen hundred eighty of this title or any ~~[board~~
16 ~~of cooperative educational services]~~ NY polytechnical institute to
17 secure any and all liabilities of such educational institution or ~~[board~~
18 ~~of cooperative educational services]~~ NY polytechnical institute under
19 such agreement or lease in respect of such dormitory or ~~[board of coop-~~
20 ~~erative educational services]~~ NY polytechnical institute facility not
21 theretofore paid or discharged, or other real or personal property of
22 the authority. Any such mortgage, pledge or assignment by the authority,
23 unless otherwise provided therein, shall be superior to any right an
24 educational institution or a ~~[board of cooperative educational services]~~
25 NY polytechnical institute may have with respect to the property subject
26 to such mortgage, pledge or assignment, and upon foreclosure of any such
27 mortgage or enforcement of any such pledge or assignment any such right
28 shall be extinguished.

29 § 219. Section 1689 of the public authorities law, as added by chapter
30 795 of the laws of 1967, subdivision 1 as amended by chapter 301 of the
31 laws of 1996, subdivision 6 as amended by chapter 817 of the laws of
32 1976, subdivision 9 as amended by section 56 of part C of chapter 57 of
33 the laws of 2004, paragraph d of subdivision 10 as added and subdivision
34 12 as renumbered by chapter 37 of the laws of 1976, subdivision 12 as
35 added by chapter 885 of the laws of 1968 and subdivision 13 as added by
36 chapter 101 of the laws of 1976, is amended to read as follows:

37 § 1689. ~~[Board of cooperative educational services]~~ NY polytechnical
38 institute school facilities. 1. For all the purposes of this section
39 ~~[sixteen hundred eighty-nine]~~ the term ~~["board of cooperative educa-~~
40 ~~tional services]~~ "NY polytechnical institute school facilities" shall
41 mean any interest in real property, any building, library, laboratory,
42 classroom, or other building or structure essential, necessary or useful
43 in a career education or other program of any ~~[board of cooperative~~
44 ~~educational services]~~ NY polytechnical institute.

45 2. a. The authority is hereby authorized and empowered upon applica-
46 tion of the ~~[board of cooperative educational services]~~ NY polytechnical
47 institute concerned to construct, acquire, reconstruct, rehabilitate and
48 improve, and furnish and equip or otherwise provide a ~~[board of cooper-~~
49 ~~ative educational services]~~ NY polytechnical institute school facility.
50 The ~~[board]~~ institute for whose students any such ~~[board of cooperative~~
51 ~~educational services]~~ NY polytechnical institute school facility is
52 intended to be provided shall approve plans and specifications and the
53 location of such ~~[board of cooperative educational services]~~ NY poly-
54 technical institute facilities. The authority shall have the same power
55 and authority in respect to such ~~[board of cooperative educational~~

1 ~~services~~] NY polytechnical institute school facilities erected pursuant
2 to this section that it has relative to dormitories.

3 b. The authority shall have power to acquire, in the name of the
4 authority, on terms necessary or convenient by purchase, condemnation,
5 gift or devise, real property, leasehold interest in real property or
6 rights of easement in relation to the [~~board of cooperative educational~~
7 ~~services~~] NY polytechnical institute school facilities erected pursuant
8 to this section.

9 c. When authorized by the voters of the [~~board of cooperative educa-~~
10 ~~tional services~~] NY polytechnical institute, any [~~board of cooperative~~
11 ~~educational services~~] NY polytechnical institute shall have power to
12 convey to the authority real property, leasehold interest in real prop-
13 erty or rights of easement, the title of which is vested in the [~~board~~
14 institute, in relation to the [~~board of cooperative educational~~
15 ~~services~~] NY polytechnical institute school facilities to be erected
16 pursuant to this section, and, when so authorized, any [~~board of cooper-~~
17 ~~ative educational services~~] NY polytechnical institute shall have power
18 to enter into any lease or other agreement with the authority in
19 connection with the provision of a [~~board of cooperative educational~~
20 ~~services~~] NY polytechnical institute school facility.

21 d. The authority shall have power to accept gifts of real and personal
22 property in the name of the authority for the purposes of this section.

23 e. The authority may lease any such [~~board of cooperative educational~~
24 ~~services~~] NY polytechnical institute school facilities to the [~~board~~
25 institute for which such [~~board of cooperative educational services~~] NY
26 polytechnical institute school facilities are erected. At such time as
27 the liabilities of the authority incurred for any such [~~board of cooper-~~
28 ~~ative educational services~~] NY polytechnical institute school facilities
29 have been discharged and the bonds of the authority issued therefor have
30 been paid or such liabilities and bonds have otherwise been discharged,
31 the authority shall transfer title to all real and personal property of
32 such [~~board of cooperative educational services~~] NY polytechnical insti-
33 tute school facilities vested in the authority to the [~~board~~] institute
34 to which such [~~board of cooperative educational services~~] NY polytechni-
35 cal institute school facilities are then leased, provided, however, that
36 if at such time the [~~board of cooperative educational services~~] NY poly-
37 technical institute school facilities are not located in any [~~board~~
38 institute or any successor thereto in the state of New York, then such
39 title shall vest in the people of the state of New York.

40 f. Any lease of a [~~board of cooperative educational services~~] NY poly-
41 technical institute school facility authorized by this section may
42 contain provisions which shall be a part of the contract with the holder
43 of the bonds of the authority issued for such [~~board of cooperative~~
44 ~~educational services~~] NY polytechnical institute school facility, as to

45 (1) pledging all or any part of the moneys, income or revenues of the
46 lessee or other personal property of the lessee, to secure payments
47 required under the terms of such lease;

48 (2) the setting aside of reserves and the creation of special funds
49 and the regulation and disposition thereof;

50 (3) the procedure, if any, by which the terms of such lease may be
51 amended, the amount of bonds the holders of which must consent thereto,
52 and the manner in which such consent may be given;

53 (4) vesting in a trustee or trustees such specified properties,
54 rights, powers and duties as shall be deemed necessary or desirable for
55 the security of the holders of the bonds of the authority issued for

1 such [~~board of cooperative educational services~~] NY polytechnical insti-
2 tute school facilities;

3 (5) the obligations of the lessee with respect to the replacement,
4 reconstruction, maintenance, operations, repairs and insurance of such
5 [~~board of cooperative educational services~~] NY polytechnical institute
6 school facilities;

7 (6) defining the acts or omissions to act which shall constitute a
8 default in the obligations and duties of the lessee, and providing for
9 the rights and remedies of the authority and of its bondholders in the
10 event of such default;

11 (7) any other matters, of like or different character, which may be
12 deemed necessary or desirable for the security or protection of the
13 authority or the holders of its bonds.

14 3. Whenever the authority under the provisions of this section under-
15 takes to construct or otherwise provide a [~~board of cooperative educa-~~
16 ~~tional services~~] NY polytechnical institute school facility and to lease
17 the same to a [~~board of cooperative educational services~~] NY polytechni-
18 cal institute, such lease shall be the general obligation of the [~~board~~]
19 institute and any successor thereto. Such lessee shall be responsible
20 for the direct costs of operation, maintenance, repair and replacement
21 of such [~~board of cooperative educational services~~] NY polytechnical
22 institute school facility, and in addition shall be responsible for the
23 over-all supervision of each [~~board of cooperative educational services~~]
24 NY polytechnical institute school facility, for the overhead and general
25 administrative costs of the lessee which are incurred because of such
26 [~~board of cooperative educational services~~] NY polytechnical institute
27 school facility and for the integration of the operation of each such
28 [~~board of cooperative educational services~~] NY polytechnical institute
29 school facility into the lessee's educational program.

30 4. All the provisions of this title four not inconsistent with the
31 provisions of this section [~~sixteen hundred eighty nine~~] shall be appli-
32 cable with respect to any bonds of the authority issued to obtain funds
33 for any purpose authorized under this section [~~sixteen hundred eighty-~~
34 ~~nine~~] and with respect to the powers of the authority hereunder.

35 5. To obtain funds for the purposes of this section, the authority
36 shall have power from time to time to issue negotiable bonds or notes of
37 the authority. Unless the context shall clearly indicate otherwise when-
38 ever the words "bond" or "bonds" are used in this section, such words
39 shall include a note or notes of the authority.

40 6. Any pledge of or other security interest in moneys, earnings,
41 income, revenues, accounts, contract rights, general intangibles or
42 other personal property made or created by the authority shall be valid,
43 binding and perfected from the time when such pledge or other security
44 interest attaches, without any physical delivery of the collateral or
45 further act. The lien of any such pledge or other security interest
46 shall be valid, binding and perfected as against all parties having
47 claims of any kind in tort, contract or otherwise against the authority
48 irrespective of whether or not such parties have notice thereof. No
49 instrument by which such a pledge or other security interest is created
50 nor any financing statement need be recorded or filed. This subdivision
51 shall apply notwithstanding the provisions of the uniform commercial
52 code.

53 7. Whenever the authority undertakes under the provisions of this
54 section to construct, acquire, reconstruct, rehabilitate and improve,
55 and furnish and equip or otherwise provide a [~~board of cooperative~~
56 ~~educational services~~] NY polytechnical institute school facility, each

1 ~~[board of cooperative educational services]~~ NY polytechnical institute
2 in connection with which such ~~[board of cooperative educational~~
3 ~~services]~~ NY polytechnical institute school facility is built is author-
4 ized to assign and pledge to the authority a sufficient portion of any
5 and all public funds to be apportioned or otherwise to be made payable
6 by the state of New York to the ~~[board of cooperative educational~~
7 ~~services]~~ NY polytechnical institute to cover the payments required
8 under the lease between the authority and the ~~[board of cooperative~~
9 ~~educational services]~~ NY polytechnical institute. All state and local
10 officials concerned are hereby authorized to apportion and pay all such
11 funds so assigned and pledged to the authority. Such assignment and
12 pledge by any ~~[board of cooperative educational services]~~ NY polytechni-
13 cal institute shall be irrevocable and shall continue until the date on
14 which the liabilities of the authority and any such ~~[board of cooper-~~
15 ~~ative educational services]~~ NY polytechnical institute school facilities
16 have been discharged and the bonds of the authority issued therefor have
17 been paid or such bonds have otherwise been discharged.

18 8. No ~~[board of cooperative educational services]~~ NY polytechnical
19 institute school facility shall be constructed or otherwise provided by
20 the authority under the provisions of this section unless approved by
21 the voters of the ~~[board of cooperative educational services]~~ NY poly-
22 technical institute and unless any and all necessary approvals of the
23 commissioner of education under section four hundred eight of the educa-
24 tion law have been obtained.

25 9. Any payment required to be made by a ~~[board of cooperative educa-~~
26 ~~tional services]~~ NY polytechnical institute to the authority shall be
27 deemed an administrative or capital expense within the meaning of
28 section nineteen hundred fifty of the education law.

29 10. a. The total amount payable annually to the authority by a ~~[board]~~
30 institute shall be certified by the authority to the commissioner of
31 education and the authority shall annually prepare and certify to the
32 commissioner of education a statement of the total amount necessary to
33 be paid by all ~~[boards of cooperative educational services]~~ NY polytech-
34 nical institutes for the ensuing school year.

35 b. The commissioner of education shall include in the certificate
36 which ~~[he files]~~ they file with the state comptroller showing the amount
37 of state funds apportioned to the ~~[board of cooperative educational~~
38 ~~services]~~ NY polytechnical institute a statement showing the amount to
39 be owed by the ~~[board]~~ institute to the authority for the ensuing school
40 year.

41 c. The comptroller shall deduct from any state funds to become due to
42 any such ~~[board of cooperative educational services]~~ NY polytechnical
43 institute an amount equal to the amount required to be paid by such
44 ~~[board]~~ institute to the authority as shown by the certificate of the
45 commissioner of education filed with the comptroller as required by
46 paragraph b of this subdivision.

47 d. The state of New York hereby covenants with the purchasers, holders
48 and owners from time to time of the bonds of the authority that it will
49 not repeal, revoke, rescind, modify or amend the provisions of this
50 subdivision ten so as to limit, impair or impede the rights and remedies
51 granted hereby or otherwise diminish the security pledged to such
52 purchasers, holders and owners or significantly impair the prospect of
53 payment of any such bond, nor shall any lien or charge on or pledge,
54 assignment, diversion, withholding, payment or other use of or deduction
55 from any state funds due or to become due or appropriated to or to be
56 appropriated to or to be apportioned and paid to any ~~[board of cooper-~~

~~ative educational services~~ NY polytechnical institute be created which is prior in time or superior in right to the deduction required by paragraph c of this subdivision; provided, however, that nothing herein contained shall be deemed or construed as requiring the state to continue the payment of the state aid or assistance to any ~~board of cooperative educational services~~ NY polytechnical institute or as limiting or prohibiting the state from repealing or amending any law theretofore or hereafter enacted providing for the payment or apportionment of state aid to a ~~board of cooperative educational services~~ NY polytechnical institute or the manner, time or amount thereof.

11. In the event that the amount paid to the authority pursuant to the provisions of subdivision ten of this section is insufficient to meet any payment required by the ~~board of cooperative educational services~~ NY polytechnical institute to the authority any such amount still due and owing shall be paid directly to the authority by the ~~board~~ institute.

12. (a) After: (i) a proposition has been approved by the voters of a ~~board of cooperative educational services~~ NY polytechnical institute for the construction or providing by the authority of a ~~board of cooperative educational services~~ NY polytechnical institute school facility or facilities and any and all necessary approvals of the commissioner of education have been obtained, all as provided by subdivision eight of this section; (ii) an agreement and a lease have been executed by and between such ~~board of cooperative educational services~~ NY polytechnical institute and the dormitory authority relating to the construction or otherwise providing of such ~~board of cooperative educational services~~ NY polytechnical institute school facility or facilities, the leasing thereof by the dormitory authority to such ~~board of cooperative educational services~~ NY polytechnical institute and the financing thereof by the dormitory authority by the issuance of its obligations; and (iii) the dormitory authority has adopted its resolution authorizing obligations of the dormitory authority for such purpose, the dormitory authority may determine to provide that the validity of such agreement, lease, resolution of the authority authorizing the issuance of obligations and the obligations authorized and issued pursuant thereto may be contested only if:

1. Such agreement, lease, resolution and the obligations to be issued pursuant to such resolution are authorized for a ~~board of cooperative educational services~~ NY polytechnical institute school facility or facilities for which the ~~board of cooperative educational services~~ NY polytechnical institute and the dormitory authority are not authorized to execute an agreement and a lease or for which the dormitory authority is not authorized to issue obligations, or

2. The provisions of law which should be complied with at the date of the publication of the notice hereinafter provided for, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the constitution.

(b) If the dormitory authority shall determine to utilize the provisions of this subdivision, the dormitory authority shall publish or shall cause a notice to be published in the manner hereinafter provided, which notice shall be in substantially the following form:

The (here insert the name of the ~~board of cooperative educational services~~ NY polytechnical institute) and the dormitory authority of the

1 state of New York have entered into an agreement dated as of the -----
2 day of -----, 19---, and a lease dated as of the ----- day of -----,
3 19---, and the dormitory authority has adopted a resolution on the -----
4 day of -----, 19---, and the validity of such agreement, lease, resol-
5 ution and the obligations issued pursuant thereto may be hereafter
6 contested only if such agreement, lease, resolution and the obligations
7 issued pursuant thereto were authorized for a [~~board of cooperative~~
8 ~~educational services~~] NY polytechnical institute school facility or
9 facilities for which such [~~board of cooperative educational services~~] NY
10 polytechnical institute and the dormitory authority are not authorized
11 to enter into an agreement, lease and for which the dormitory authority
12 is not authorized to issue such obligations or if the provisions of law
13 which should have been complied with as of the date of publication of
14 this notice were not substantially complied with, and an action, suit or
15 proceeding contesting such validity is commenced within twenty days
16 after the date of publication of this notice, or such obligations were
17 authorized in violation of the provisions of the constitution.

18 By such agreement and lease such [~~board of cooperative educational~~
19 ~~services~~] NY polytechnical institute and the dormitory authority have
20 agreed that the dormitory authority shall provide the [~~board of cooper-~~
21 ~~ative educational services~~] NY polytechnical institute school facility
22 or facilities described therein, that the dormitory authority shall
23 lease the same to such [~~board of cooperative educational services~~] NY
24 polytechnical institute, which [~~board of cooperative educational~~
25 ~~services~~] NY polytechnical institute shall pay annual rentals as agreed
26 upon in such lease sufficient to pay the principal of and interest on
27 the obligations of the authority issued to finance such facility or
28 facilities, the amounts required by such resolution to establish and
29 maintain the reserve funds, if any, required by such resolution, any
30 expenditures of the authority for insurance, fees and expenses of audit-
31 ing and fees and expenses of the trustee, all as required by the resol-
32 ution, all other expenditures reasonably and necessarily incurred by the
33 authority by reason of its ownership, financing and leasing of the
34 project and the annual administrative fee payable to the authority. Such
35 resolution authorizes an issue of \$----- obligations of the authority,
36 which amount is equal to the sum of: (i) the estimated cost of
37 construction and equipment of such [~~board of cooperative educational~~
38 ~~services~~] NY polytechnical institute school facility or facilities after
39 first deducting federal grants-in-aid to be received; (ii) the amount
40 required by the authority, if any, to be paid to reserve funds created
41 by the resolution of the authority authorizing the bonds; and (iii) the
42 amounts required to make payments for legal, financing, administrative
43 and other costs and expenses of the authority in connection with such
44 [~~board of cooperative educational services~~] NY polytechnical institute
45 school facilities and the financing thereof.

46 Executed counterparts of such agreement and lease and a certified copy
47 of the resolution of the dormitory authority authorizing such obli-
48 gations are on file in the office of the clerk of such [~~board of cooper-~~
49 ~~ative educational services~~] NY polytechnical institute at (here insert
50 the address of the office of such clerk) and at the office of the dormi-
51 tory authority (here insert the address of such office) and such docu-
52 ments may be inspected at either of said offices during regular business
53 hours.

54 DORMITORY AUTHORITY OF THE STATE OF
55 NEW YORK and (here insert the name of the

1 ~~[board of cooperative educational services]~~

2 NY polytechnical institute)

3 (c) The notice described in subparagraph (b) of this subdivision shall
4 be published once in each of two newspapers, if there shall be two, or
5 in one newspaper, if there shall be but one, having general circulation
6 within the ~~[board of cooperative educational services]~~ NY polytechnical
7 institute, but if no newspaper shall then have general circulation ther-
8 ein, such notice shall be posted in at least twenty of the most public
9 places in said ~~[board of cooperative educational services]~~ NY polytech-
10 nical institute.

11 (d) After the publication of such notice, the validity of the obli-
12 gations authorized thereby may be contested only if:

13 1. Such agreement, lease, resolution of the dormitory authority
14 authorizing the obligations, and the obligations of the dormitory
15 authority were authorized for a ~~[board of cooperative educational~~
16 ~~services]~~ NY polytechnical institute school facility or facilities for
17 which such ~~[board of cooperative educational services]~~ NY polytechnical
18 institute and the dormitory authority were not authorized to execute an
19 agreement and a lease or for which the dormitory authority is not
20 authorized to issue obligations, or

21 2. The provisions of law which should be complied with at the date of
22 publication of the notice hereinabove provided for, are not substantial-
23 ly complied with, and an action, suit or proceeding contesting such
24 validity is commenced within twenty days after the date of such publica-
25 tion, or

26 3. Such obligations are authorized in violation of the provisions of
27 the constitution.

28 (e) If an action, suit or proceeding contesting the validity of such
29 agreement, lease, resolution authorizing the obligations or the obli-
30 gations authorized thereby is commenced within twenty days from the date
31 of publication of such notice, the court in which such action, suit or
32 proceeding is commenced shall determine whether or not such agreement,
33 lease, resolution and obligations were authorized for a ~~[board of coop-~~
34 ~~erative educational services]~~ NY polytechnical institute school facility
35 or facilities for which the ~~[board of cooperative educational services]~~
36 NY polytechnical institute and the dormitory authority were authorized
37 to enter into an agreement and a lease and for which the authority was
38 authorized to issue obligations or the provisions of law which should
39 have been complied with were substantially complied with. The court may
40 determine that the provisions of law which should have been complied
41 with were substantially complied with if:

42 1. The aggregate amount of obligations authorized does not exceed an
43 amount equal to the sum of~~[+]~~: (i) the estimated cost of construction
44 and equipment of such a ~~[board of cooperative educational services]~~ NY
45 polytechnical institute school facility or facilities after first
46 deducting federal grants-in-aid to be received; (ii) the amount, if any,
47 required by the authority by the resolution to be paid to reserve funds
48 created by the resolution of the authority authorizing the obligations;
49 and (iii) the amounts estimated by the authority to be required to make
50 payments for legal, financing, administrative and other costs and
51 expenses of the authority in connection with the providing of the facil-
52 ities and the financing thereof.

53 2. Such agreement and lease were executed after a proposition author-
54 izing the same had been submitted to and approved by a majority of the
55 duly qualified voters of such ~~[board of cooperative educational~~
56 ~~services]~~ NY polytechnical institute.

(f) Such determination of the court as described in subparagraph (e) hereof may be arrived at notwithstanding any irregularity or failure to observe a technicality in:

1. The form of such proposition approved by the duly qualified voters of such [~~board of cooperative educational services~~] NY polytechnical institute.

2. The notice of the meeting at which such proposition was submitted.

3. The time or manner of the publication of such notice.

4. The conduct of the meeting at which such proposition was adopted.

5. Like matters in such proceedings.

(g) If the dormitory authority shall have utilized the provisions of this subdivision, the obligations of the authority issued pursuant to the resolution authorizing the same shall contain a recital substantially to the effect that the procedure for the validation of such bonds set forth in this section have been complied with and such recital shall bind the [~~board of cooperative educational services~~] NY polytechnical institute and the dormitory authority, and twenty days after such notice shall have been published and after such obligations have been purchased in good faith and for fair value by any person, the validity of such agreement, lease, resolution and of the obligations issued pursuant to such resolution shall not be questioned by such [~~board of cooperative educational services~~] NY polytechnical institute or by any taxpayer thereof in any court.

(h) If the dormitory authority and such [~~board of cooperative educational services~~] NY polytechnical institute shall deem it necessary to increase the amount of obligations of the authority to be issued in connection with the construction or providing of a [~~board of cooperative educational services~~] NY polytechnical institute school facility or facilities and shall have authorized the issuance of such additional obligations by the execution of a supplemental agreement and a supplemental lease between the dormitory authority and such [~~board of cooperative educational services~~] NY polytechnical institute and the authority has adopted a supplemental resolution authorizing such additional obligations, the provisions of this subdivision also shall be applicable to such supplemental agreement, supplemental lease, supplemental resolution and additional obligations authorized and issued pursuant thereto.

13. No authorization given by the voters of a [~~board of cooperative educational services~~] NY polytechnical institute prior to April first, nineteen hundred seventy-six of a lease or other agreement with the authority in connection with the provision of a [~~board of cooperative educational services~~] NY polytechnical institute school facility shall be held invalid by reason of any irregularity or failure to observe a technicality in:

a. The form of such proposition approved by the duly qualified voters of such [~~board of cooperative educational services~~] NY polytechnical institute,

b. The notice of the meeting at which such proposition was submitted,

c. The time or manner of the publication of such notice,

d. The conduct of the meeting at which such proposition was adopted,

e. Like matters in such proceedings, in any action or proceeding commenced more than two years after the date of approval by such voters of the proposition authorizing such lease or other agreement. The foregoing limitation shall not be construed as extending any limitation period otherwise provided by law or authorizing any action or proceeding.

§ 220. Subdivision 11 of section 3232 of the public authorities law, as added by chapter 220 of the laws of 1990, is amended to read as follows:

11. "Local government" means a county, city, town, village, school district, city school district or [~~board of cooperative educational services~~] NY polytechnical institute.

§ 221. Subdivisions 1 and 5 of section 1110 of the public health law, as amended by chapter 130 of the laws of 2022, are amended to read as follows:

1. In addition to school districts already classified as a public water system under parts 141 and 142 of title 40 of the code of federal regulations, as such regulations may, from time to time, be amended, every school district and [~~board of cooperative educational services~~] NY polytechnical institute shall conduct triennial first-drawn tap testing of potable water systems to monitor for lead contamination in each occupied school building under its jurisdiction as required by regulations promulgated pursuant to this section. The testing shall be conducted and the results analyzed by an entity or entities approved by the commissioner.

5. Each school district and [~~board of cooperative educational services~~] NY polytechnical institute conducting testing pursuant to subdivision one of this section and each school district classified as a public water system under parts 141 and 142 of title 40 of the code of federal regulations, as such regulations may, from time to time, be amended, shall make a copy of the results of all such testing, including laboratory reports, and any lead remediation plans available to the public on its website and any additional means as chosen by such district. A copy of the results of all testing shall also be immediately transmitted to the department and state education department in a format to be determined by the commissioner and to the county department of health in the local jurisdiction of the school building. The commissioner of education, in conjunction with the commissioner, shall publish a report triennially based on the findings from the tap water testing conducted according to the provisions of this section. Such report shall be sent to the commissioner, the governor, the temporary president of the senate, and the speaker of the assembly and shall be made available on the department's and state education department's websites.

§ 222. Paragraph (d) of subdivision 1 and subdivision 4 of section 2500-h of the public health law, paragraph (d) of subdivision 1 as added and subdivision 4 as amended by chapter 254 of the laws of 2019, are amended to read as follows:

(d) The commissioner shall create informational materials detailing such anaphylactic policies to be distributed to local school boards of education, charter schools, [~~boards of cooperative educational services~~] NY polytechnical institutes, and child day care centers, and shall make the materials available on the department's website.

4. Within six months of the effective date of the chapter of the laws of two thousand nineteen which amended this section, the anaphylactic policies established under this section shall be jointly forwarded by the commissioner as well as the commissioner of education or the commissioner of children and family services as appropriate to each local school board of education, charter school, [~~board of cooperative educational services~~] NY polytechnical institute and child day care service provider, as defined in section three hundred ninety of the social services law, in the state. Each such entity shall implement or update as appropriate their anaphylactic policy in accordance with those devel-

oped by the state within six months of receiving the anaphylactic policies.

§ 223. Subparagraph (iii) of paragraph (a) of subdivision 1 of section 3000-c of the public health law, as amended by chapter 472 of the laws of 2024, is amended to read as follows:

(iii) a school district, [~~board of cooperative educational services~~] NY polytechnical institute, county vocational education and extension board, charter school, and non-public elementary and secondary school in this state or any person employed by any such entity, or employed by a contractor of such an entity while performing services for the entity;

§ 224. Subparagraph (iii) of paragraph (a) of subdivision 1 of section 3000-e of the public health law, as added by chapter 741 of the laws of 2022, is amended to read as follows:

(iii) a school district, [~~board of cooperative educational services~~] NY polytechnical institute, county vocational education and extension board, charter school, and non-public elementary and secondary school in this state or any person employed by any such entity, or employed by a contractor of such an entity while performing services for the entity; or

§ 225. Subparagraph (v) of paragraph (a) of subdivision 3 of section 3309 of the public health law, as added by chapter 148 of the laws of 2020, is amended to read as follows:

(v) As used in this section, "entity" includes, but is not limited to, a school district, public library, [~~board of cooperative educational services~~] NY polytechnical institute, county vocational education and extension board, charter school, non-public elementary or secondary school, restaurant, bar, retail store, shopping mall, barber shop, beauty parlor, theater, sporting or event center, inn, hotel or motel.

§ 226. Section 10 of the public officers law, as amended by chapter 29 of the laws of 1977, is amended to read as follows:

§ 10. Official oaths. Every officer shall take and file the oath of office required by law, and every judicial officer of the unified court system, in addition, shall file a copy of said oath in the office of court administration, before [~~he~~] they shall be entitled to enter upon the discharge of any of [~~his~~] their official duties. An oath of office may be administered by a judge of the court of appeals, the attorney general, or by any officer authorized to take, within the state, the acknowledgment of the execution of a deed of real property, or by an officer in whose office the oath is required to be filed or by [~~his~~] their duly designated assistant, or may be administered to any member of a body of officers, by a presiding officer or clerk, thereof, who shall have taken an oath of office. An oath of office may be administered to any state or local officer who is a member of the armed forces of the United States by any commissioned officer, in active service, of the armed forces of the United States. In addition to the requirements of any other law, the certificate of the officer in the armed forces administering the oath of office under this section shall state (a) the rank of the officer administering the oath, and (b) that the person taking the oath was at the time, enlisted, inducted, ordered or commissioned in or serving with, attached to or accompanying the armed forces of the United States. The fact that the officer administering the oath was at the time duly commissioned and in active service with the armed forces, shall be certified by the secretary of the army, secretary of the air force or by the secretary of the navy, as the case may be, of the United States, or by a person designated by [~~him~~] them to make such certifications, but the place where such oath was administered need not be

disclosed. The oath of office of a notary public or commissioner of deeds shall be filed in the office of the clerk of the county in which ~~[he]~~ they shall reside. The oath of office of every state officer shall be filed in the office of the secretary of state; of every officer of a municipal corporation, including a school district, with the clerk thereof; and of every other officer, including the trustees and officers of a public library and the officers of ~~[boards of cooperative educational services]~~ NY polytechnical institutes, in the office of the clerk of the county in which ~~[he]~~ they shall reside, if no place be otherwise provided by law for the filing thereof.

§ 227. Subparagraph (ii) of paragraph (a) of subdivision 1 of section 18 of the public officers law, as amended by chapter 521 of the laws of 1982, is amended to read as follows:

(ii) a school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, or any other governmental entity or combination or association of governmental entities operating a public school, college, community college or university,

§ 228. Subparagraph (ii) of paragraph (a) of subdivision 1 of section 18-a of the public officers law, as added by section 2 of subpart C of part KK of chapter 57 of the laws of 2018, is amended to read as follows:

(ii) a school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, or any other governmental entity or combination or association of governmental entities operating a public school, college, community college or university;

§ 229. Paragraph (m) of subdivision 2 of section 265.01-e of the penal law, as amended by section 1 of part F of chapter 55 of the laws of 2023, is amended to read as follows:

(m) in or upon any building or grounds, owned or leased, of any educational institutions, colleges and universities, licensed private career schools, school districts, public schools, private schools licensed under article one hundred one of the education law, charter schools, non-public schools, ~~[board of cooperative educational services]~~ NY polytechnical institutes, special act schools, preschool special education programs, private residential or non-residential schools for the education of students with disabilities, and any state-operated or state-supported schools;

§ 230. Section 408 of the real property tax law, as amended by chapter 684 of the laws of 1985, is amended to read as follows:

§ 408. School districts and ~~[boards of cooperative educational services]~~ NY polytechnical institutes. Notwithstanding any limitation contained in section four hundred six of this ~~[chapter]~~ title, all real property owned by a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute and all improvements thereon leased by such a district or ~~[board]~~ institute provided that such leased improvements are used for educational purposes and provided, further, that such lease provides that such district or ~~[board]~~ institute is liable for all taxation, special ad valorem levies and special assessments levied upon such improvements shall be exempt from taxation and exempt from special ad valorem levies and special assessments to the extent provided in section four hundred ninety of this ~~[chapter]~~ article.

§ 231. Paragraph (a) of subdivision 3 of section 594 of the real property tax law, as amended by chapter 515 of the laws of 2002, is amended to read as follows:

(a) Oil and gas rights and other elements of economic units shall be exempt from taxation if owned by a school district or ~~[board of cooperative educational services]~~ NY polytechnical institute;

§ 232. Paragraph 1-a of subdivision a of section 19-a of the retirement and social security law, as amended by section 2 of part BB of chapter 57 of the laws of 2013, is amended to read as follows:

(1-a) "Alternative amortizing employer" shall mean a county, city, town, village, school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, or public benefit corporation that operates a public general hospital located in the county of Westchester, the county of Erie, or the county of Nassau that, on a form prepared by the comptroller, elects to and does amortize a portion of the employer's annual bill pursuant to paragraph one of subdivision d of this section for the two thousand thirteen - two thousand fourteen fiscal year pursuant to the alternative system graded contribution rate, regardless of whether the employer has subsequently paid in full all such amortized amounts.

§ 233. Subdivisions e and f of section 210 of the retirement and social security law, subdivision e as added by chapter 803 of the laws of 1964 and subdivision f as amended by chapter 579 of the laws of 1992, are amended to read as follows:

e. The term "public service" means the service of the state or any political division thereof, including a special district, district corporation, school district, ~~[board of cooperative educational services]~~ NY polytechnical institute or county vocational education and extension board, or the service of a public benefit corporation or public authority created by or pursuant to laws of the state of New York, or the service of any agency or organization which contributes as a participating employer in a retirement system or pension plan administered by the state or any of its political subdivisions.

f. The term "former employer" means the state or a political subdivision, public corporation, school district, ~~[board of cooperative educational services]~~ NY polytechnical institute, county vocational education and extension board, or an agency or organization which contributes as a participating employer in a retirement system or pension plan administered by the state or any of its civil divisions, which directly paid the salary or compensation of a retired person at any time during the two years immediately preceding ~~[his]~~ their retirement and who paid the salary on which the retiree's retirement allowance is based.

§ 234. Subparagraph 2 of paragraph (a) of subdivision 2 and subdivision 9 of section 211 of the retirement and social security law, subparagraph 2 of paragraph (a) of subdivision 2 as amended by chapter 753 of the laws of 1976 and subdivision 9 as added by section 1 of part HH of chapter 56 of the laws of 2022, are amended to read as follows:

(2) the commissioner of education if such person is to be employed in the unclassified service of a school district other than the city of New York, a ~~[board of cooperative educational services]~~ NY polytechnical institute or a county vocational education and extension board; or

9. Notwithstanding the provisions of this section, sections two hundred twelve and four hundred one of this chapter and section five hundred three of the education law and any other law, regulation, rule, local law, or charter to the contrary, a retired person may be employed and earn compensation in a position or positions in the service of a school district or a ~~[board of cooperative educational services]~~ NY polytechnical institute in the state without any effect on ~~[his or her]~~ their status as retired and without suspension or diminution of ~~[his or~~

1 ~~her]~~ their retirement allowance and without prior approval pursuant to
2 subdivision two of this section. Earnings received as a result of
3 employment in a school district or a [~~board of cooperative educational~~
4 ~~services~~] NY polytechnical institute in the state shall not be applied
5 to a retired person's earnings when calculating the earnings limitations
6 imposed by subdivisions one and two of section two hundred twelve of
7 this article.

8 § 235. Section 217 of the retirement and social security law, as added
9 by chapter 640 of the laws of 2008, is amended to read as follows:

10 § 217. Reporting requirements; school salary transparency and disclo-
11 sure. 1. A school district and a [~~board of cooperative educational~~
12 ~~services~~] NY polytechnical institute shall report all money earned by a
13 retired person in their employ that is in excess of the earnings limita-
14 tion outlined in section two hundred twelve of this article to the
15 retirement system administered by the state or any of its political
16 subdivisions from whom such retired person is collecting their retire-
17 ment allowance.

18 2. A school district or a [~~board of cooperative educational services~~]
19 NY polytechnical institute employing a retired person who is eligible to
20 collect or is already collecting a retirement allowance from a retire-
21 ment system administered by the state or any of its political subdivi-
22 sions shall report on an annual basis to the retirement system paying
23 such retirement allowance to such retired person and to the state comp-
24 troller. This report shall consist of the re-employed retiree's name,
25 date of birth, place of employment, current position and all earnings.

26 § 236. Subdivision f of section 446 of the retirement and social secu-
27 rity law, as amended by chapter 210 of the laws of 1996, is amended to
28 read as follows:

29 f. Notwithstanding any other provision of law, any member of the New
30 York state and local employees' retirement system who is subject to the
31 provisions of this article and who is employed by a school district, a
32 [~~board of cooperative educational services~~] NY polytechnical institute,
33 a vocational education and extension board, an institution for the
34 instruction of the deaf and of the blind as enumerated in section four
35 thousand two hundred one of the education law, or a school district as
36 enumerated in section one of chapter five hundred sixty-six of the laws
37 of nineteen hundred sixty-seven as amended to date, shall have their
38 service credit for service rendered on or after January first, nineteen
39 hundred ninety determined by dividing the number of days worked in a
40 school year by one hundred eighty. For the purpose of this section a
41 school year will begin on July first and end the following June thirti-
42 eth. No more than one year of service may be credited during any such
43 fiscal year. Credit for service rendered before January first, nineteen
44 hundred ninety shall be determined in the same manner if a person eligi-
45 ble for such benefit shall file the appropriate application with the
46 state comptroller on or before August second, nineteen hundred ninety-
47 six and, within five years of filing such application, make payment for
48 all costs necessary to finance the receipt of such service credit.

49 § 237. Subdivision f of section 513 of the retirement and social secu-
50 rity law, as amended by chapter 210 of the laws of 1996, is amended to
51 read as follows:

52 f. Notwithstanding any other provision of law, any member of the New
53 York state and local employees' retirement system who is subject to the
54 provisions of this article and who is employed by a school district, a
55 [~~board of cooperative educational services~~] NY polytechnical institute,
56 a vocational education and extension board, an institution for the

1 instruction of the deaf and of the blind as enumerated in section four
2 thousand two hundred one of the education law, or a school district as
3 enumerated in section one of chapter five hundred sixty-six of the laws
4 of nineteen hundred sixty-seven as amended to date, shall have their
5 service credit for service rendered on or after January first, nineteen
6 hundred ninety determined by dividing the number of days worked in a
7 school year by one hundred eighty. For the purpose of this section a
8 school year will begin on July first and end the following June thirti-
9 eth. No more than one year of service may be credited during any such
10 fiscal year. Credit for service rendered before January first, nineteen
11 hundred ninety shall be determined in the same manner if a person eligi-
12 ble for such benefit shall file the appropriate application with the
13 state comptroller on or before August second, nineteen hundred ninety-
14 six and, within five years of filing such application, make payment for
15 all costs necessary to finance the receipt of such service credit.

16 § 238. Subdivision f of section 609 of the retirement and social secu-
17 rity law, as amended by chapter 210 of the laws of 1996, is amended to
18 read as follows:

19 f. Notwithstanding any other provision of law, any member of the New
20 York state and local employees' retirement system who is subject to the
21 provisions of this article and who is employed by a school district, a
22 ~~[board of cooperative educational services]~~ NY polytechnical institute,
23 a vocational education and extension board, an institution for the
24 instruction of the deaf and of the blind as enumerated in section four
25 thousand two hundred one of the education law, or a school district as
26 enumerated in section one of chapter five hundred sixty-six of the laws
27 of nineteen hundred sixty-seven as amended to date, shall have their
28 service credit for service rendered on or after January first, nineteen
29 hundred ninety determined by dividing the number of days worked in a
30 school year by one hundred eighty. For the purpose of this section a
31 school year will begin on July first and end the following June thirti-
32 eth. No more than one year of service may be credited during any such
33 fiscal year. Credit for service rendered before January first, nineteen
34 hundred ninety shall be determined in the same manner if a person eligi-
35 ble for such benefit shall file the appropriate application with the
36 state comptroller on or before August second, nineteen hundred ninety-
37 six and, within five years of filing such application, make payment for
38 all costs necessary to finance the receipt of such service credit.

39 § 239. Paragraph (c) of subdivision 6 of section 62 of the social
40 services law, as amended by chapter 569 of the laws of 1994, is amended
41 to read as follows:

42 (c) A social services district shall provide for the transportation of
43 each homeless child who is eligible for benefits pursuant to section
44 three hundred fifty-j of this chapter to and from a temporary housing
45 location in which the child was placed by the social services district
46 and the school attended by such child pursuant to section thirty-two
47 hundred nine of the education law, if such temporary housing facility is
48 located outside of the designated school district pursuant to paragraph
49 a of subdivision two of section thirty-two hundred nine of the education
50 law. A social services district shall be authorized to contract with a
51 board of education or a ~~[board of cooperative educational services]~~ NY
52 polytechnical institute for the provision of such transportation. This
53 paragraph shall apply to placements made by a social services district
54 without regard to whether a payment is made by the district to the oper-
55 ator of the temporary housing facility.

§ 240. Subdivision 2 of section 331 of the social services law, as amended by section 148 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

2. A social services district may contract or establish agreements with entities which comply with the standards to be established in regulations by the commissioner to provide work activities, including but not limited to, job training partnership act agencies, state agencies, school districts, [~~boards of cooperative educational services~~] NY polytechnical institutes, not-for-profit community based organizations, licensed trade schools or registered business schools, libraries, post-secondary educational institutions consistent with this title, and educational opportunity centers and local employers. A district shall, to the extent practicable and permitted under federal requirements, develop performance based contracts or agreements with such entities. Such standards shall include an evaluation procedure to ensure that services offered by a provider are sufficient to enhance substantially a participant's opportunity to secure unsubsidized employment or, when coupled with or provided in conjunction with other activities, represent part of a comprehensive approach to enabling a participant to secure unsubsidized employment. Notwithstanding the provisions of section one hundred fifty-three of this article, expenditures pursuant to contracts or agreements with providers who do not meet the standards for approval of providers as defined in regulations will not be eligible for reimbursement by the department.

§ 241. Subdivision 3 of section 336-a of the social services law, as amended by section 148 of part B of chapter 436 of the laws of 1997, is amended to read as follows:

3. When a participant is assigned to an appropriate vocational educational or educational activity and such activity is available at no cost to the social services district through the school district or [~~board of cooperative educational services~~] NY polytechnical institute in which the participant resides or through another agency or organization providing educational services, the social services district shall refer the participant to such district, [~~board~~] institute, agency or organization.

§ 242. Paragraph (c) of subdivision 2 of section 367-w of the social services law, as added by section 1 of part ZZ of chapter 56 of the laws of 2022, is amended to read as follows:

(c) Notwithstanding the definition of employer in paragraph (b) of this subdivision, and without regard to the availability of federal financial participation, "employer" shall also include an institution of higher education, a public or nonpublic school, a charter school, an approved preschool program for students with disabilities, a school district or [~~boards of cooperative educational services~~] NY polytechnical institutes, programs funded by the office of mental health, programs funded by the office of addiction services and supports, programs funded by the office for people with developmental disabilities, programs funded by the office for the aging, a health district as defined in section two of the public health law, or a municipal corporation, where such program or entity employs at least one employee. Such employers shall be required to enroll in the system designated by the commissioner, or relevant agency commissioners, in consultation with the director of the budget, for the purpose of claiming bonus payments under this section. Such system or process for claiming bonus payments may be different from the system and process used under subdivision three of this section.

§ 243. Subparagraph (ii) of paragraph (a) of subdivision 3 and subdivision 5 of section 483-c of the social services law, as added by section 2 of part F2 of chapter 62 of the laws of 2003, are amended to read as follows:

(ii) County tier II team. A county, or consortium of counties, choosing to participate in the coordinated children's services initiative shall establish an interagency team consisting of, but not limited to, the local commissioners or leadership assigned by the chief elected official responsible for the local health, mental hygiene, juvenile justice, probation and other human services systems. The education system shall be represented by the district superintendent of the ~~[board of cooperative educational services]~~ NY polytechnical institute, or ~~[his or her]~~ their designee, and in the case of the city of New York, by the chancellor of the city school district of the city of New York, or ~~[his or her]~~ their designee, and appropriate local school district representatives as determined by the district superintendent of the ~~[board of cooperative educational services]~~ NY polytechnical institute, or such chancellor. Such team shall be sensitive to issues of cultural competence, and shall include representatives of families of children with an emotional and/or behavioral disorder. Regional state agency representatives may participate when requested by such team.

5. Funding. Counties and school districts, including ~~[boards of cooperative educational services]~~ NY polytechnical institutes, as requested by component school districts, choosing to participate in the coordinated children's services initiative, unless expressly prohibited by law, shall have the authority to:

(a) combine state and federal resources of the participating county and educational agencies to provide services to groups or individual children and their families necessary to maintain children with emotional and/or behavioral disorders in their homes, communities and schools, and support families in achieving this goal, as long as the use of the funds is consistent with the purposes for which they were appropriated; and

(b) apply flexibility in use of funds, pursuant to an individualized family-support plan, or for collaborative programs, an agreement among the county, city and school districts or the ~~[board of cooperative educational services]~~ NY polytechnical institute, monies combined pursuant to paragraph (a) of this subdivision may be used to allow flexibility in determining and applying interventions that will address the unique needs of the family. The tier III team shall develop guidelines for the flexible use of funds in implementing an individualized family support plan.

§ 244. Clause 1 and subclause (C) of clause 6 of subparagraph (i) of paragraph n of subdivision 10 of section 54 of the state finance law, as amended by section 6 of part 0 of chapter 56 of the laws of 2008, are amended to read as follows:

(1) For the purposes of this paragraph, "municipalities" shall mean counties, cities, towns, villages, special improvement districts, fire districts, and school districts; provided, however, that for purposes of this definition, a school district shall be considered a municipality only in instances where a school district advances an application for a grant to cover costs associated with cooperative agreements or shared services. For purposes of this definition, a ~~[board of cooperative educational services]~~ NY polytechnical institute shall be considered a municipality only in instances where such ~~[board of cooperative educational services]~~ NY polytechnical institute advances a joint shared

1 service application on behalf of school districts and other munici-
2 palities within the [~~board of cooperative educational services~~] NY poly-
3 technical institute region; provided, however, that any shared service
4 agreements with a [~~board of cooperative educational services~~] NY poly-
5 technical institute:

6 (A) shall not generate additional state aid;

7 (B) shall be deemed not to be a part of the program, capital and
8 administrative budgets of the [~~board of cooperative educational~~
9 ~~services~~] NY polytechnical institute for the purposes of computing
10 charges upon component school districts pursuant to subparagraph seven
11 of paragraph b of subdivision four of section nineteen hundred fifty and
12 subdivision one of section nineteen hundred fifty-one of the education
13 law; and

14 (C) shall be deemed to be a cooperative municipal service for purposes
15 of subparagraph two of paragraph d of subdivision four of section nine-
16 teen hundred fifty of the education law.

17 (C) share services between school districts and other municipalities,
18 including applications submitted by [~~boards of cooperative educational~~
19 ~~services~~] NY polytechnical institutes as defined in clause one of
20 subparagraph (i) of this paragraph;

21 § 245. Clause 1 of subparagraph (i) and clause 1 of subparagraph (v)
22 of paragraph o of subdivision 10 of section 54 of the state finance law,
23 clause 1 of subparagraph (i) as amended by section 7 of part GG of chap-
24 ter 56 of the laws of 2009 and clause 1 of subparagraph (v) as added by
25 section 7 of part O of chapter 56 of the laws of 2008, are amended to
26 read as follows:

27 (1) For the purposes of this paragraph, "municipality" shall mean
28 counties, cities, towns, villages, special improvement districts, fire
29 districts, public libraries, association libraries, water authorities,
30 sewer authorities, regional planning and development boards, school
31 districts, and [~~boards of cooperative educational services~~] NY polytech-
32 nical institutes; provided, however, that for the purposes of this defi-
33 nition, a [~~board of cooperative educational services~~] NY polytechnical
34 institute shall be considered a municipality only in instances where
35 such [~~board of cooperative educational services~~] NY polytechnical insti-
36 tute advances a joint application on behalf of school districts and
37 other municipalities within the [~~board of cooperative educational~~
38 ~~services~~] NY polytechnical institute region; provided, however, that any
39 agreements with a [~~board of cooperative educational services~~] NY poly-
40 technical institute: shall not generate additional state aid; shall be
41 deemed not to be a part of the program, capital and administrative budg-
42 ets of the [~~board of cooperative educational services~~] NY polytechnical
43 institute for the purposes of computing charges upon component school
44 districts pursuant to subparagraph seven of paragraph b of subdivision
45 four of section nineteen hundred fifty and subdivision one of section
46 nineteen hundred fifty and subdivision one of section nineteen hundred
47 fifty-one of the education law; and shall be deemed to be a cooperative
48 municipal service for purposes of subparagraph two of paragraph d of
49 subdivision four of section nineteen hundred fifty of the education law.

50 (1) Within the amounts appropriated therefor, subject to a plan devel-
51 oped in consultation with the commission on local government efficiency
52 and competitiveness and approved by the director of the budget, the
53 secretary of state may award competitive grants to municipalities to
54 cover costs associated with a functional consolidation or a shared
55 services agreement having great potential to achieve financial savings
56 and serve as a model for other municipalities, including the consol-

1 idation of services on a multi-county basis, the consolidation of
2 certain services countywide as identified in such plan, the creation of
3 a regional entity empowered to provide multiple functions on a county-
4 wide or regional basis, the creation of a regional or city-county
5 consolidated municipal government, the consolidation of school districts
6 or supporting services for school districts encompassing the area served
7 by a [~~board of cooperative educational services~~] NY polytechnical insti-
8 tute, or the creation of a regional smart growth compact or program.

9 § 246. Clause 1 of subparagraph (i) of paragraph r of subdivision 10
10 of section 54 of the state finance law, as amended by chapter 470 of the
11 laws of 2011, is amended to read as follows:

12 (1) For the purposes of this paragraph, "municipality" shall mean a
13 county, city, town, village, special improvement district, fire
14 district, public library, association library, or public library system
15 as defined by section two hundred seventy-two of the education law,
16 provided however, that for the purposes of this definition, a public
17 library system shall be considered a municipality only in instances
18 where such public library system advances a joint application on behalf
19 of its member libraries, water authority, sewer authority, regional
20 planning and development board, school district, or [~~board of cooper-~~
21 ~~ative educational services~~] NY polytechnical institute; provided, howev-
22 er, that for the purposes of this definition, a [~~board of cooperative~~
23 ~~educational services~~] NY polytechnical institute shall be considered a
24 municipality only in instances where such [~~board of cooperative educa-~~
25 ~~tional services~~] NY polytechnical institute advances a joint application
26 on behalf of school districts and other municipalities within the [~~board~~
27 ~~of cooperative educational services~~] NY polytechnical institute region;
28 provided, however, that any agreements with a [~~board of cooperative~~
29 ~~educational services~~] NY polytechnical institute: shall not generate
30 additional state aid; shall be deemed not to be a part of the program,
31 capital and administrative budgets of the [~~board of cooperative educa-~~
32 ~~tional services~~] NY polytechnical institute for the purposes of comput-
33 ing charges upon component school districts pursuant to subdivision one
34 and subparagraph seven of paragraph b of subdivision four of section
35 nineteen hundred fifty and subdivision one of section nineteen hundred
36 fifty-one of the education law; and shall be deemed to be a cooperative
37 municipal service for purposes of subparagraph two of paragraph d of
38 subdivision four of section nineteen hundred fifty of the education law.

39 § 247. Clause 1 of subparagraph (i) of paragraph s of subdivision 10
40 of section 54 of the state finance law, as added by section 3 of part K
41 of chapter 55 of the laws of 2013, is amended to read as follows:

42 (1) For the purposes of this paragraph, "municipality" shall mean a
43 county, city, town, village, special improvement district, fire
44 district, public library, association library, or public library system
45 as defined by section two hundred seventy-two of the education law,
46 provided however, that for the purposes of this definition, a public
47 library system shall be considered a municipality only in instances
48 where such public library system advances a joint application on behalf
49 of its member libraries, water authority, sewer authority, regional
50 planning and development board, school district, or [~~board of cooper-~~
51 ~~ative educational services~~] NY polytechnical institute; provided, howev-
52 er, that for the purposes of this definition, a [~~board of cooperative~~
53 ~~educational services~~] NY polytechnical institute shall be considered a
54 municipality only in instances where such [~~board of cooperative educa-~~
55 ~~tional services~~] NY polytechnical institute advances a joint application
56 on behalf of school districts and other municipalities within the [~~board~~

1 ~~of cooperative educational services~~ NY polytechnical institute region;
2 provided, however, that any agreements with a [~~board of cooperative~~
3 ~~educational services~~] NY polytechnical institute: shall not generate
4 additional state aid; shall be deemed not to be a part of the program,
5 capital and administrative budgets of the [~~board of cooperative educa-~~
6 ~~tional services~~] NY polytechnical institute for the purposes of comput-
7 ing charges upon component school districts pursuant to subdivision one
8 and subparagraph seven of paragraph b of subdivision four of section
9 nineteen hundred fifty and subdivision one of section nineteen hundred
10 fifty-one of the education law; and shall be deemed to be a cooperative
11 municipal service for purposes of subparagraph two of paragraph d of
12 subdivision four of section nineteen hundred fifty of the education law.

13 § 248. Subdivision 2 of section 97-jjj of the state finance law, as
14 added by section 86 of part A of chapter 436 of the laws of 1997, is
15 amended to read as follows:

16 2. Notwithstanding any other law, rule or regulation to the contrary,
17 the state comptroller is hereby authorized and directed to receive for
18 deposit to the credit of the Rome school for the deaf account, revenues
19 received pursuant to section forty three hundred fifty-seven of the
20 education law and fees from school districts, [~~BOCES~~] NY polytechnical
21 institutes, other entities and individuals for other appropriate educa-
22 tion-related services.

23 § 249. Subdivision 2 of section 97-kkk of the state finance law, as
24 added by section 87 of part A of chapter 436 of the laws of 1997, is
25 amended to read as follows:

26 2. Notwithstanding any other law, rule or regulation to the contrary,
27 the state comptroller is hereby authorized and directed to receive for
28 deposit to the credit of the Batavia school for the blind account,
29 revenues received pursuant to section forty three hundred thirteen of
30 the education law and fees from school districts, [~~BOCES~~] NY polytechni-
31 cal institutes, other entities and individuals for other appropriate
32 education-related services.

33 § 250. Subdivision 2-a of section 99-c of the state finance law, as
34 added by chapter 594 of the laws of 1983, is amended to read as follows:

35 2-a. Notwithstanding the provisions of subdivision two of this section
36 or any other inconsistent provision of law, a school district or [~~board~~
37 ~~of cooperative educational services~~] NY polytechnical institute which is
38 subject to the requirements of this section may repay its distribution
39 pursuant to a contractual agreement authorized by this section over a
40 period of ten state fiscal years, in equal annual installments, payable
41 by March thirty-first of each year. For school districts or [~~boards of~~
42 ~~cooperative educational services~~] NY polytechnical institutes which
43 terminate the contractual agreement prior to July first, nineteen
44 hundred eighty-three, the first installment shall be paid prior to March
45 thirty-first, nineteen hundred eighty-four. For all other school
46 districts and [~~boards of cooperative educational services~~] NY polytech-
47 nical institutes, the first installment shall be paid prior to March
48 thirty-first first succeeding the termination of such agreement. The
49 comptroller shall not withhold from state aid or other assistance due a
50 school district or [~~board of cooperative educational services~~] NY poly-
51 technical institute any amount of such distribution due and owing as
52 certified by the department of civil service to the comptroller pursuant
53 to subdivision two of this section, until and unless such school
54 district or [~~board of cooperative educational services~~] NY polytechnical
55 institute fails to make an installment payment authorized by this subdi-
56 vision by March thirty-first of the applicable year. Upon failure of a

1 school district or [~~board of cooperative educational services~~] NY poly-
2 technical institute to make an installment payment, the withholding
3 provisions of subdivision two of this section shall take effect to the
4 extent of the amount of that unpaid installment. The comptroller shall
5 within sixty days of the date on which this subdivision becomes effec-
6 tive or within sixty days of any subsequent termination of the contrac-
7 tual agreement notify the applicable school district or [~~board of coop-~~
8 ~~erative educational services~~] NY polytechnical institute of the
9 provisions of this subdivision, of the amount due and owing, and the
10 amount of each installment.

11 § 251. Subdivision 6 of section 188 of the state finance law, as
12 amended by chapter 379 of the laws of 2010, is amended to read as
13 follows:

14 6. "Local government" means any New York county, city, town, village,
15 school district, [~~board of cooperative educational services~~] NY poly-
16 technical institute, local public benefit corporation or other municipal
17 corporation or political subdivision of the state, or of such local
18 government.

19 § 252. Paragraph (g) of subdivision 1 of section 5-a of the tax law,
20 as amended by section 1 of part L of chapter 62 of the laws of 2006, is
21 amended to read as follows:

22 (g) "Person" means an individual, partnership, limited liability
23 company, society, association, joint stock company, or corporation;
24 provided, however, that a "person" shall not include a "public corpo-
25 ration" or an "education corporation," as such terms are defined in
26 section sixty-six of the general construction law, a not-for-profit
27 corporation whose contracts are subject to approval in accordance with
28 article eleven-B of the state finance law, a [~~board of cooperative~~
29 ~~educational services~~] NY polytechnical institute created pursuant to
30 article forty of the education law, or a soil and water conservation
31 district created pursuant to section five of the soil and water conser-
32 vation districts law.

33 § 253. Paragraph 4 of subsection (b) of section 800 of the tax law, as
34 amended by section 1 of part YY of chapter 59 of the laws of 2015, is
35 amended to read as follows:

36 (4) Any eligible educational institution. An "eligible educational
37 institution" shall mean any public school district, a [~~board of cooper-~~
38 ~~ative educational services~~] NY polytechnical institute, a public elemen-
39 tary or secondary school, a school approved pursuant to article eighty-
40 five or eighty-nine of the education law to serve students with
41 disabilities of school age, or a nonpublic elementary or secondary
42 school that provides instruction in grade one or above, all public
43 library systems as defined in subdivision one of section two hundred
44 seventy-two of the education law, and all public and free association
45 libraries as such terms are defined in subdivision two of section two
46 hundred fifty-three of the education law.

47 § 254. Subdivision 4 of section 198 of the town law, as amended by
48 chapter 798 of the laws of 1970, is amended to read as follows:

49 4. Park districts. After a park district shall have been established,
50 the town board shall proceed to acquire by purchase or condemnation of
51 the property described in the petition or in the final order, if the
52 town board proceeded under article twelve-A of this chapter, for the
53 establishment of such park district, and, thereafter the board may erect
54 or cause to be erected thereon non-commercial buildings and structures
55 and it may purchase necessary equipment and otherwise improve such prop-
56 erty for park purposes, as the board may determine. In existing park

1 districts, the town board may acquire by purchase, condemnation or
2 lease, property for public parking places and maintain the same in
3 accordance with the provisions of subdivision five hereof, without the
4 establishment of a public parking district. No property situated within
5 an incorporated village or city shall be acquired in any manner for park
6 purposes, unless the permission and consent of the board of trustees of
7 such village or the common council or legislative body of such city, is
8 first obtained; provided that such permission and consent, if obtained
9 subsequent to the acquisition of any such property, shall be effective
10 for all purposes and to the same extent as though obtained prior to such
11 acquisition. The town board may sell, convey and transfer any property
12 acquired for park purposes at such an amount as it may determine but not
13 less than the original cost thereof, and apply the proceeds of such
14 sale, conveyance or transfer to the purchase of other property for park
15 purposes and improve such property in the manner provided herein. The
16 town board of the town of Oyster Bay may also convey and transfer to the
17 state of New York or to any municipal or district corporation as defined
18 by section three of the general corporation law, any property acquired
19 for park purposes, or any part thereof, when no longer needed, either
20 without consideration or for such consideration and upon such terms and
21 conditions as the town board may determine and the resolution authoriz-
22 ing such conveyance or transfer shall be subject to a permissive refer-
23 endum. The town board of the town of Hempstead may lease to the [~~board~~
24 ~~of cooperative educational services~~] NY polytechnical institute, as
25 defined by article forty of the education law, any property acquired for
26 park purposes, or any part thereof, when no longer needed, either with-
27 out consideration or for such consideration and upon such terms and
28 conditions as the town board may determine. The town board may employ
29 such persons and expend such amount of money as may be necessary for the
30 proper maintenance of such park for the use, convenience and enjoyment
31 of the inhabitants of such park district, and, may in its discretion,
32 grant licenses and privileges for any use of such park and park property
33 which contributes thereto. The town board may fix a reasonable charge
34 for the use of such park by all persons other than inhabitants and
35 taxpayers of such park district, and, in addition, the board may adopt
36 general rules and regulations for the government and protection of the
37 park and all property therein, and, for the enforcement thereof, provide
38 that the violator of any rule or regulation relating to the park or
39 property therein shall be guilty of a misdemeanor and shall, on
40 conviction, in the county of Nassau before a judge of the district
41 court, and elsewhere before a justice of the peace, be punished by a
42 fine not exceeding fifty dollars, or, in default of payment of such
43 fine, by imprisonment not exceeding thirty days.

44 § 255. Subdivision (a) of section 1174 of the vehicle and traffic law,
45 as amended by chapter 597 of the laws of 1990, is amended to read as
46 follows:

47 (a) The driver of a vehicle upon a public highway, street or private
48 road upon meeting or overtaking from either direction any school bus
49 marked and equipped as provided in subdivision twenty of section three
50 hundred seventy-five of this chapter which has stopped on the public
51 highway, street or private road for the purpose of receiving or
52 discharging any passengers, or which has stopped because a school bus in
53 front of it has stopped to receive or discharge any passengers, shall
54 stop the vehicle before reaching such school bus when there is in opera-
55 tion on said school bus a red visual signal as specified in subdivision
56 twenty of section three hundred seventy-five of this chapter and said

1 driver shall not proceed until such school bus resumes motion, or until
2 signaled by the driver or a police officer to proceed. For the purposes
3 of this section, and in addition to the provisions of section one
4 hundred thirty-four of this chapter, the term "public highway" shall
5 mean any area used for the parking of motor vehicles or used as a drive-
6 way located on the grounds of a school or of a [~~board of cooperative~~
7 ~~educational services~~] NY polytechnical institute facility or any area
8 used as a means of access to and egress from such school or facility.

9 § 256. Subparagraph (iii) of paragraph (f) of subdivision 2 and
10 subparagraph (ii) of paragraph (a) of subdivision 5 of section 16-1 of
11 section 1 of chapter 174 of the laws of 1968, constituting the New York
12 state urban development corporation act, as added by chapter 471 of the
13 laws of 2001, are amended to read as follows:

14 (iii) For the purposes of this subdivision "vocational education agen-
15 cy" shall mean a community college or [~~board of cooperative educational~~
16 ~~services~~] NY polytechnical institute operating within the state.

17 (ii) "vocational education agency" shall mean a community college or
18 [~~board of cooperative educational services~~] NY polytechnical institute
19 operating within the state; and

20 § 257. This act shall take effect immediately; provided, however:

21 (a) the amendments to subparagraph 2 of paragraph d of subdivision 4
22 of section 1950 of the education law made by section two of this act
23 shall not affect the expiration of such subparagraph and shall be deemed
24 to expire therewith;

25 (b) the amendments to subparagraph 10 of paragraph h of subdivision 4
26 of section 1950 of the education law made by section two of this act
27 shall not affect the repeal of such subparagraph and shall be deemed
28 repealed therewith;

29 (c) the amendments to subparagraph (a) of paragraph p of subdivision 4
30 of section 1950 of the education law made by section two of this act
31 shall be subject to the expiration and reversion of such subparagraph
32 pursuant to section 4 of chapter 374 of the laws of 2014, as amended,
33 when upon such date the provisions of section three of this act shall
34 take effect;

35 (d) the amendments to subparagraph (c) of paragraph p of subdivision 4
36 of section 1950 of the education law made by section two of this act
37 shall not affect the repeal of such subparagraph and shall be deemed
38 repealed therewith;

39 (e) the amendments to paragraph 11 of subdivision 4 of section 1950 of
40 the education law made by section two of this act shall not affect the
41 expiration of such subparagraph and shall be deemed to expire therewith;

42 (f) the amendments to subdivision 2-c of section 1950 of the education
43 law made by section two-a of this act shall take effect on the same date
44 and in the same manner as section 9 of chapter 311 of the laws of 2024,
45 takes effect;

46 (g) the amendments to subdivision 1 of section 211 of the economic
47 development law made by section twelve of this act shall be subject to
48 the expiration and reversion of such subdivision pursuant to section 3
49 of part GGG of chapter 58 of the laws of 2023, as amended, when upon
50 such date the provisions of section twelve-a of this act shall take
51 effect;

52 (h) the amendments to paragraph b of subdivision 62 of section 305 of
53 the education law made by section thirty-one of this act shall take
54 effect on the same date and in the same manner as section 1 of chapter
55 361 of the laws of 2024 takes effect;

1 (i) section fifty-five of this act shall take effect on the same date
2 and in the same manner as section 1 of chapter 672 of the laws of 2007,
3 takes effect;

4 (j) the amendments to subdivision 21-a of section 1604 of the educa-
5 tion law made by section sixty-three-a of this act shall take effect on
6 the same date and in the same manner as section 1 of chapter 563 of the
7 laws of 2024 takes effect;

8 (k) the amendments to subdivision 4-a of section 3208 of the education
9 law made by section one hundred twenty of this act shall not affect the
10 expiration of such section and shall be deemed to expire therewith;

11 (l) the amendments to subdivision 1 of section 103 of the general
12 municipal law made by section one hundred ninety-two of this act shall
13 be subject to the expiration and reversion of such subdivision pursuant
14 to subdivision (a) of section 41 of part X of chapter 62 of the laws of
15 2003, as amended, when upon such date the provisions of section one
16 hundred ninety-three of this act shall take effect;

17 (m) the amendments to paragraph (a) of subdivision 1 of section 109-b
18 of the general municipal law made by section one hundred ninety-four of
19 this act shall not affect the repeal of such section and shall be deemed
20 repealed therewith;

21 (n) the amendments to subparagraph (iii) of paragraph (c) of subdivi-
22 sion 2 of section 591-a of the labor law made by section two hundred
23 eight of this act shall not affect the repeal of such section and shall
24 be deemed repealed therewith;

25 (o) the amendments to paragraph (a) of subdivision 1 of section 816-b
26 of the labor law made by section two hundred ten of this act shall be
27 subject to the expiration and reversion of such paragraph pursuant to
28 section 11 of chapter 669 of the laws of 2023, as amended, when upon
29 such date the provisions of section two hundred ten-a of this act shall
30 take effect;

31 (p) section two hundred twelve-a of this act shall take effect on the
32 same date and in the same manner as section 4 of chapter 563 of the laws
33 of 2024, takes effect;

34 (q) the amendments to subdivision 9 of section 211 of the retirement
35 and social security law made by section two hundred thirty-four of this
36 act shall not affect the repeal of such subdivision and shall be deemed
37 repealed therewith; and

38 (r) Effective immediately, the addition, amendment and/or repeal of
39 any rule or regulation necessary for the implementation of this act on
40 its effective date are authorized to be made and completed on or before
41 such effective date.