§ 1951. Budget of board of cooperative educational services. 1. The final administrative and capital budgets of the board of cooperative educational services as adopted shall be a charge against all of the school districts contained in the board of cooperative educational services, provided, however, that any component school district which does not elect to participate in any specific educational service authorized to be furnished by the board of cooperative educational services shall not be required to pay any share of the moneys provided in the program budget as salaries of teachers or other personnel employed in providing such service, for equipment and supplies for such service or for transportation of pupils to and from the place where such service is maintained, provided, however, expenditures for the board of cooperative educational services program, including office and central administrative expenses, traveling expenses and salaries and benefits of supervisors and all other central administrative personnel necessary to carry out its program shall be deemed administrative expenses which shall be a charge upon all component school districts notwithstanding the fact that such a component school district elects to not participate in any specific program offered by the board of cooperative educational services. Each school district's proportionate share of administrative and capital expenses shall be determined in accordance with subparagraph seven of paragraph b of subdivision four of section nineteen hundred fifty of this article. The board shall allocate the cost of other services to participating component school districts in accordance with terms agreed upon between such board and the boards of education and trustees of each component school district using the local uniform unit 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 school districts and shall be computed in accordance with 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. The school authorities of each school district in the

board of cooperative educational services shall add such amount to the budget of such school district and shall pay such amount to the treasurer of the board of cooperative educational services, and shall be paid out by the treasurer upon orders of the board issued and executed pursuant to the resolution of said board.

2. a. If the board of cooperative educational services determines to submit a proposition to authorize the purchase or acquisition of sites or additions thereto and real property and to construct buildings thereon and to purchase buildings and construct additions thereto, or to authorize the sale of any real property the title to which is vested in the board of cooperative educational services and buildings thereon and appurtenances or any part thereof, or to authorize the exchange of real property held by the board of cooperative educational services for the purpose of improving or changing school sites, to the qualified voters of the board of cooperative educational services, then the board shall call a meeting and submit to the qualified voters of the board of cooperative educational services such a proposition. The board shall cause a notice of such meeting to be given by public notice of the time and place of such meeting once in each week within the four weeks next preceding such meeting, the first publication to be at least twenty-five days before said meeting, in two newspapers if there shall be two, or in one newspaper if there shall be but one, having general circulation within the board of cooperative educational services, but if no newspaper shall then have general circulation therein, the said notice shall be posted in at least twenty of the most public places in said board of cooperative educational services twenty-five days before the time of such meeting. Such notice shall contain a statement of the proposition or propositions to be submitted at such meeting.

b. Such notice and all other notices and reports required to be published in newspapers under the provisions of this chapter shall be printed at the rates and for the fees prescribed in section eight thousand seven of the civil practice law and rules. In the event that the publishers of one or both of the newspapers having general circulation in such district shall refuse to print and publish the notices or reports at the rates and for the fees so prescribed,

publication in such newspaper or newspapers so refusing may be omitted, in which case the notices or reports shall be posted as required by this section in lieu of such publication.

c. A person shall be entitled to vote at any meeting of the voters of the board of cooperative educational services who is:

(1) A citizen of the United States.

(2) Eighteen years of age.

(3) A resident within the board of cooperative educational services for a period of thirty days next preceding the meeting at which he offers to vote.

No person shall be deemed to be ineligible to vote at any such meeting, by reason of sex, who has the other qualifications required by this paragraph.

d. If a person offering to vote at any meeting of the voters of the board of cooperative educational services shall be challenged as unqualified by any legal voter of such board at such meeting, the chairman presiding at such meeting shall require the person so offering to make the following declaration: "I do declare and affirm that I am, and have been, for the thirty days last past, an actual resident of this board of cooperative educational services and that I am qualified to vote at this meeting." Every person making such declaration shall be permitted to vote on all questions proposed at such meeting; but if any person shall refuse to make such declaration his vote shall be rejected.

e. A person who shall wilfully make a false declaration of his right to vote at a meeting of the voters of a board of cooperative educational services after his right to vote thereat has been challenged, shall be deemed guilty of a misdemeanor. Any person not qualified to vote at such meeting, who shall vote thereat, shall thereby forfeit ten dollars, to be sued for by the supervisor for the benefit of the board.

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

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

i. If the clerk of the board of cooperative educational services shall not be present, the board may appoint a qualified voter of the board of cooperative educational services to act as clerk of the meeting. The board shall appoint qualified voters of the board of cooperative educational services as assistant clerks of the meeting. The clerk of the board of cooperative educational services 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 may appoint a qualified voter

of the board of cooperative educational services to fill the vacancy. Each assistant clerk shall be entitled to compensation at a rate to be fixed by the board for each day actually and necessarily spent upon the duties of his 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 within twenty-four hours after the meeting.

j. The board shall appoint two qualified voters of the board of cooperative educational services 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 shall give written notice of appointment to the persons so appointed. If a person appointed as inspector of election refuses to accept such appointment, or fails to serve, the board may appoint a qualified voter of the board of cooperative educational services to fill the vacancy. Additional inspectors of election may be appointed in the same manner when, in the opinion of the board, special circumstances exist requiring the services of such additional inspectors. The inspectors of election shall, before the polls are opened, organize by naming one of their number as chief inspector of election. Each inspector of election shall be entitled to compensation at a rate to be fixed by the board for each day actually and necessarily spent upon the duties of his office.

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

l. The board shall at the expense of the board of cooperative educational services provide a suitable box or boxes in which the ballots, folded so as to conceal the marking thereon, shall be deposited as they are received, and shall in like manner provide a voting booth or booths and the voters shall be required to enter such booth or booths for the purpose of marking their ballots.

m. The board shall cause printed ballots to be prepared, setting forth

the proposition or propositions to be voted upon, in the form applicable to the submission of a proposition to the meeting of a union free school district.

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

o. Immediately upon the close of the polls the inspectors of election shall canvass the ballots in the same manner as ballots are canvassed at a meeting of a union free school district. The chairman of the meeting shall declare to the meeting the result of each ballot as announced to him by the inspectors of election, and those propositions receiving a majority of the votes of the voters present and voting shall be deemed approved.

p. The meeting of the voters of the board of cooperative educational services shall be conducted in the same manner as a meeting of the voters of a union free school district.

q. If the board shall so determine it may cause the board of cooperative educational services to be divided into election districts provided that in each such election district the number of qualified voters shall at least equal seven hundred. If such resolution be adopted it shall divide the board of cooperative educational services into such number of election districts as the board may determine, provided that if circumstances will permit there shall be a schoolhouse in each election district or in as many such election districts as possible. The election districts so formed shall continue in existence until modified by resolution of the board. Such resolution shall accurately describe the boundaries of each such district by street, alley and highway or otherwise. Meetings of the voters of the board of cooperative educational services shall be held thereafter in such election districts. The board shall designate the place within each election district where the meetings shall be held. When the board of cooperative educational services is divided into election districts, the board shall cause the meeting to be held in each election district pursuant to the

provisions of this subdivision and shall appoint a chairman of the meeting, clerks and assistant clerks of the meeting and inspectors of election for each election district. The board shall designate the election district in which the clerk of the board of cooperative educational services shall be present. Where the board of cooperative educational services has been divided into election districts, the inspectors of election shall make a written report of the results of the ballot, signed by all such inspectors, to the chief inspector of election of each election district. The chief inspector of election of each election district shall within twenty-four hours file such written report with the clerk of the board of cooperative educational services. The board shall thereupon within twenty-four hours tabulate and declare the results of the ballot.

r. All disputes concerning the validity of any meeting of the voters of a board of cooperative educational services or of any of the acts of the officers of such meeting shall be referred to the commissioner of education for determination and his decisions in the matter shall be final and not subject to review. The commissioner may in his discretion order a new meeting.

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

t. The board of cooperative educational services shall provide early mail ballots to qualified voters. The commissioner shall adopt

regulations for the purposes of implementing the provisions of this paragraph which shall include, but not be limited to, creating the procedure for which such early mail ballots shall be submitted; providing that such early mail ballots shall be, as nearly as practicable, in the same form as those voted at the district election; requiring that any early mail ballot applicant is or will be, on the day of the vote, a qualified voter of the board of cooperative educational services and that he or she will be on such date over eighteen years of age, a citizen of the United States and has or will have resided in said district for thirty days next preceding such date; and providing instructions as to the proper marking thereof.

3. a. For the nineteen hundred ninety-seven--ninety-eight school year and thereafter, the commissioner shall prescribe, in consultation with the comptroller of the state of New York and within the general taxonomy of accounts established by the comptroller pursuant to section thirty-six of the general municipal law, a uniform and specific taxonomy for service programs and activities of boards of cooperative educational services. In developing such prescribed taxonomy, the commissioner shall consider the recommendations of an advisory panel of district superintendents of schools or their representatives as appointed by the commissioner for such purpose.

b. In developing and adopting a budget for the nineteen hundred ninety-seven--ninety-eight school year pursuant to this article, each board of cooperative educational services may use the same locally selected specific taxonomy for service programs and activities as used for the nineteen hundred ninety-six--ninety-seven school year within the general taxonomy of accounts established by the comptroller pursuant to section thirty-six of the general municipal law, provided that all such accounts shall be converted to the uniform and specific taxonomy prescribed by the commissioner pursuant to paragraph a of this subdivision by October first, nineteen hundred ninety-seven and provided that copies of the approved program, capital and administrative budgets as converted to such uniform and specific taxonomy shall be submitted to the commissioner on or before October first, nineteen hundred ninety-seven.

c. In developing and adopting a budget pursuant to this article for the nineteen hundred ninety-eight--ninety-nine school year and thereafter, each board of cooperative educational services shall use the uniform and specific taxonomy for service programs and activities prescribed by the commissioner pursuant to paragraph a of this subdivision.