§ 3032. Teacher summer business training and employment program; and employer specific skill training grant program. 1. Definitions. (a) "Regions" for the purposes of this section means regions as established by the commissioner pursuant to the provisions of the vocational education act.

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

(c) "Total employment cost" means salary or wages paid directly to each teacher participating and associated fringe benefits which accrue to each teacher in the teacher summer business training and employment program.

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 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.

3. Teacher summer business training and employment program. (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 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.

(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 as the case may be, as prescribed in this subdivision.

(c) The local education agency designated by the commissioner shall be authorized to submit a claim to the commissioner for an amount of money equal to eighty percent of the anticipated expenditure, based upon the requests for pre-approval and certification received. If the commissioner approves, he shall pay that amount to such local education

agency within thirty days of the receipt of such claim.

(d) Upon completion of such employment, the participating business or industry shall certify to the local education agency designated by the commissioner the identity of the employee, the wages actually paid, the hours worked and the period in which such hours were worked and shall assess such local education agency for thirty per centum of such salary and wage not to exceed one thousand dollars per employed teacher. If the commissioner approves, he shall reimburse such local education agency upon receipt of a claim pursuant to this section as provided by law the amount of money equal to the difference between the monies paid to the local education agency pursuant to paragraph (c) of this subdivision and the actual approved expenditure. If the monies paid to the local education agency pursuant to paragraph (c) of this subdivision exceeds the actual approved expenditure, the local education agency shall reimburse that difference to the commissioner.

(e) The commissioner shall monitor implementation of programs, evaluate progress, and require reports. Any funds allocated to a region but not committed for the purposes of this subdivision by September fifteenth of the current year shall be reallocated by the commissioner for the purposes of subdivision four of this section.

4. Employer specific skill training grant programs. (a) Employer specific skill training grant programs shall be designed to support, supplement and contribute to the expansion and maintenance of the economy of the state. Local education agencies shall apply to the commissioner for grants for conducting employer specific skill training programs. Application for funds by local education agencies for training programs shall be in a manner consistent with the application process for business and industry specific training programs under the vocational education act of 1963 and the job training partnership act; the sum of such grants per region shall not exceed the total funds allocated or reallocated to the region for such purposes. Such programs shall provide retraining and upgrading to existing or potential personnel in order to improve technology, quality control, production efficiency, or to adapt to other changes in the labor market, or to provide unique training programs to meet the emerging needs and occupations of the state's business and industry or providing training

to individuals to promote the successful management and/or operation of a worker owned cooperative or an employee stock ownership plan or employee-owned enterprises, as defined in subdivision five of section eighteen hundred thirty-six-b of the public authorities law, by such employees. No grant shall exceed fifty per centum of the total program cost. Eligible program cost may include employer wages paid to the employee for time spent in the training program. Applications for a grant by local education agencies shall be in a form prescribed by the commissioner.

(b) By October first, nineteen hundred eighty-six the department of education, the department of commerce, and the urban development corporation shall enter into cooperative agreements to promote more effective coordination of employer specific training programs with regional economic development strategies and other activities conducted by the department of commerce, the urban development corporation and other state, regional, and local agencies intended to promote economic development. In preparing these agreements the parties to the cooperative agreements shall solicit comments from the regional economic development councils, regional education center for economic development coordinating committees, technology development councils, private industry councils and other appropriate entities within the regions as identified by the commissioner, the commissioner of commerce, or the chairman of the urban development corporation. Such cooperative agreements shall be reviewed and revised annually.

(c) The commissioner shall monitor implementation of programs, evaluate progress, and require reports as needed.

(d) If any funds allocated to a region are not committed for the purposes of this subdivision by November fifteenth, the commissioner may reallocate some or all of such funds to another region.

5. Additional employer specific skills training grants. The additional appropriation for the purposes of this subdivision for administering and conducting employer specific skills training programs shall be allocated as follows: (a) thirty percent shall be allocated equally among the regions; and (b) seventy percent shall be allocated among the regions based upon the proportion of unemployed persons within the region to the total number of unemployed persons in the state for the most recent

calendar year as determined by the state department of labor using the civilian non-instructional population sixteen years of age or older labor series. Not less than twenty percent of the additional allocation to each region pursuant to this paragraph shall be available for training programs which will provide placements for persons who are economically disadvantaged or dislocated workers as defined pursuant to the federal job training partnership act. If any money allocated to a region pursuant to this paragraph is not committed by March first of each year or is committed prior to March first and is subsequently found to be unnecessary for expenditure to meet existing contractual obligations, the commissioner shall reallocate such funds to approved programs including but not limited to those programs which serve economically disadvantaged or dislocated workers in regions eligible pursuant to this paragraph.

6. Annual report. Annually, on or before January first of each year, the commissioner shall report to the governor, the temporary president of the senate and speaker of the assembly and chairpersons of the appropriate committees on the impact of this program. Such report shall include but not be limited to:

(a) The allocation of funding among the regions pursuant to this section.

(b) The amount of funding that was made available by each region for reallocation pursuant to this section. Such amount shall include separately the amount made available due to the region's inability to encumber available funds and the amount made available due to the overestimation of projected program costs.

(c) The amount of funding that was expended by each region for administrative activities.

(d) The allocation of funding among the regions providing for employer specific skills training grant programs which are administered by the department and funded through other sources including, but not limited to, the federal vocational education act and the federal job training partnership act and the extent to which such funds are combined with the funds appropriated pursuant to this section to provide funding for individual projects.

(e) The participation, completion, and placement rate of individuals

enrolled in employer specific skills training grant programs administered by the department and funded pursuant to this section and through other available sources of funding, with particular emphasis on the rates for individuals who are economically disadvantaged or dislocated workers.

(f) A description and evaluation of programs undertaken pursuant to the cooperative agreements required under this section.

7. The commissioner shall adopt rules and regulations to implement the provisions of this section. Rules and regulations governing the employer specific skills training program established pursuant to this section shall be promulgated by the commissioner, assisted by the commissioner of economic development and in consultation with the department of economic development. Such rules and regulations shall be consistent with the program plan required by subdivision nineteen of section one hundred of the economic development law.