

DRAFT LBDC

A BUDGET BILL submitted by the Governor  
in accordance with Article VII of the Constitution

AN ACT to amend the education law, in relation to authorizing the board of cooperative educational services to enter into contracts with the commissioner of children and family services to provide certain services

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

1 Section 1. Paragraph h of subdivision 4 of section 1950 of the educa-  
2 tion law is amended by adding a new subparagraph 8 to read as follows:

3 (8) To enter into contracts with the commissioner of the office of  
4 children and family services pursuant to subdivision six-a of section  
5 thirty-two hundred two of this chapter to provide to such office, for  
6 the benefit of youth in its custody, any services provided by the board  
7 of cooperative educational services to component school districts. Any  
8 such proposed contract shall be subject to the review and approval of  
9 the commissioner to determine that it is an approved cooperative educa-  
10 tional service. Services provided pursuant to such contracts shall be  
11 provided at cost, and the board of cooperative educational services  
12 shall not be authorized to charge any costs incurred in providing such  
13 services to its component school districts.

14 § 2. Subdivision 6-a of section 3202 of the education law, as amended  
15 by chapter 465 of the laws of 1992, is amended to read as follows:

16 6-a. Notwithstanding subdivision six of this section or any other law  
17 to the contrary, the [director of the division for youth] commissioner  
18 of the office of children and family services shall be responsible for  
19 the secular education of youth under the jurisdiction of the [division]  
20 office and may contract for such education with the trustees or board of

1 education of the school district wherein a facility for the residential  
2 care of [division for] such youth is located or with the board of coop-  
3 erative educational services at which any such school district is a  
4 component district. A youth attending a local public school while in  
5 residence at such facility shall be deemed a resident of the school  
6 district where his parent or guardian resides at the commencement of  
7 each school year for the purpose of determining which school district  
8 shall be responsible for the youth's tuition pursuant to section five  
9 hundred four of the executive law.

10 § 3. This act shall take effect immediately.