






**TO:** P-12 Education Committee

**FROM:** Jeffrey Matteson 

**SUBJECT:** Proposed Addition of Part 124 and Subpart 124-2 to Subchapter E of the Regulations of the Commissioner of Education Relating to Regionalization Plans

**DATE:** December 2, 2024

**AUTHORIZATION(S):**  

### **SUMMARY**

#### **Issue for Decision**

Should the Board of Regents adopt the addition of Part 124 and Subpart 124-2 to Subchapter E of the Regulations of the Commissioner of Education relating to regionalization plans?

#### **Reason(s) for Consideration**

Review of policy.

#### **Proposed Handling**

The proposed amendment is submitted to the P-12 Education Committee for discussion and recommendation to the Full Board for adoption as a permanent rule at its December 2024 Regents meeting. A copy of the proposed rule (Attachment A) is included.

#### **Procedural History**

The proposed amendment was presented to the P-12 Education Committee for discussion, and recommendation to the Full Board for adoption as an emergency rule, at the September 2024 meeting of the Board of Regents. A Notice of Emergency Adoption and Proposed Rule Making for a separate final adoption was published in the State Register on September 25, 2024, for a 60-day public comment period.

Because the September 2024 emergency action was set to expire on December 8, 2024, a second emergency action was necessary at the November 2024 Regents meeting, effective December 9, 2024, to ensure the emergency rule remained

continuously in effect until it could be permanently adopted and take effect as a permanent rule.

Following publication in the State Register, the Department received approximately 9,500 comments regarding the proposed amendment. An Assessment of Public Comment is included (Attachment B). No substantial changes to the proposed amendment are recommended at this time. A Notice of Adoption will be published in the State Register on December 24, 2024. Supporting materials are available upon request from the Secretary to the Board of Regents.

### **Background Information**

The Department recognizes the need for a strategic approach to create high quality educational opportunities, address fiscal stress, and enhance operational effectiveness across school districts in New York State. Challenges faced by districts include:

- **Student Access to High-Quality Educational Opportunities:** Many districts struggle to provide comprehensive educational programs or attract and retain educators.
- **Fiscal Constraints:** Budget limitations make it challenging for some districts to maintain or expand educational opportunities or course offerings. Although ultimately not enacted, the recent proposal to reduce "save harmless" provisions in New York's foundation aid formula that would have negatively impacted roughly half of all school districts underscores the fiscal uncertainty that many districts across the state face.
- **Graduation Measures Initiative:** As the Department develops recommendations for the Board of Regents regarding graduation measures, districts must adapt to ensure students are prepared.

Regionalization is a collaborative model that can help solve these challenges by facilitating voluntary conversations amongst school districts. These conversations can bring together leaders from across regions to work together in solving the issues outlined above through partnerships among school districts, Boards of Cooperative Educational Services (BOCES), and other stakeholders. Regionalization conversations can also facilitate partnerships with area businesses and other school districts to enhance curriculum and student experiences, which will help meet the demands of new graduation measures.

Regionalization conversations are grounded in principles that emphasize the need for local solutions and collaboration in addressing educational challenges. In other words, regionalization is about fostering local control and maintaining local identity. The proposed regulations are designed to coordinate regionalization efforts so they are tailored to the specific needs of each district, while fostering a collective approach to problem-solving, and providing an avenue of communication to the state regarding the tools and resources needed to achieve district initiated plans. While regionalization is

distinct from school district reorganization, some districts may also choose to reorganize in response to their local situation.

The Department is committed to ensuring stable district funding, even if anticipated adjustments to the foundation aid formula are enacted. These proposed regulations facilitate voluntary regionalization conversations and emphasize the need for districts to proactively plan for equitable access to academic opportunities for students and operational efficiency for any eventuality.

The Department has engaged with stakeholders including districts, BOCES, and students across the state in the development of this proposed regulation. These discussions have highlighted existing regionalization efforts and identified areas where additional support from outside district boundaries is needed. For example, superintendents and school board members have requested additional resources and guidance to build upon the existing regionalization work and implement new educational opportunities and operational efficiencies. The proposed regulations address these requests by providing a structured framework that leverages the strengths of existing efforts while fostering new opportunities for collaboration, requesting resources, and improvement.

### **Proposed Amendment**

The proposed amendment first creates a new part 124 of the Commissioner's regulations regarding Boards of Cooperative Educational Services and a separate subpart for regionalization plans. The latter facilitates a process by which each component school district of a supervisory district can work with the District Superintendent to develop and implement a regionalization plan at least every ten years. This plan is designed to improve student opportunities and operational efficiencies through shared resources and should include initiatives for enhancing educational opportunities, strategies for operational efficiencies, mechanisms for ongoing evaluation, and other information deemed to be of importance. This would result in 37 plans, one for each supervisory district. The ideas in the regionalization plan are proved to the BOCES District Superintendent to transmit to NYSED but the ideas and needs come only from the participating school districts.

The regionalization planning process must, at minimum, include the District Superintendents facilitating: (1) a strengths and needs tool on a form prescribed by the commissioner; (2) convenings with school districts and stakeholders; (3) an interim progress report on a form prescribed by the commissioner; and (4) the regionalization plan on a form prescribed by the commissioner.

Neighboring non-component school districts, including the big five city school districts, as well as charter schools and nonpublic schools, shall be invited by the District Superintendent to voluntarily participate in the regionalization planning process, where applicable.

Additionally, the proposed amendment: (1) sets forth deadlines and the approval process for initial and subsequent regionalization plans as well as requirements for implementation, amendments, and monitoring of such regionalization plans;

(2) identifies the responsibilities of the Department, District Superintendents, and component school districts in relation to such regionalization plans; and (3) provides that all activities carried out by the District Superintendent and BOCES pursuant to the proposed amendment qualify as part of the BOCES administrative costs. Component school districts and supervisory districts would begin implementing the approved regionalization plans no later than the start of the 2026-2027 school year.

The proposed amendment underscores the importance of a thoughtful and systematic approach to improving schools and districts to ensure student success. Recognizing that local challenges require local solutions, the amendment highlights regionalization planning as a critical strategy for fostering collaboration and leveraging the strengths of existing infrastructures, including BOCES and cross-district partnerships. This approach builds on successful models already present across the state and seeks to address academic, operational, and fiscal challenges through tailored, community-driven solutions.

The proposed amendment does not mandate reorganization, such as mergers or consolidations, nor does it require districts to engage in specific activities under a regionalization plan. Rather, it establishes a voluntary framework for identifying opportunities to share resources, address common challenges, and improve student outcomes. Throughout the 60-day public comment period, the Department has engaged with stakeholders across the state and gathered feedback on the proposed amendment. This outreach reflects the Department's commitment to ensuring all students have equitable access to high-quality educational opportunities while respecting the unique needs and priorities of local communities.

Through the proposed amendment, school districts are invited to participate in their local regionalization conversations. In the final regionalization plan, participating school districts are only required to implement activities that they have agreed or consented to for their local context.

### **Non-Substantial Revisions to the Proposed Amendment Following the Public Comment Period:**

Following publication of the proposed rule in the State Register, the Department proposes to make two non-substantial revisions.

The first revision concerns section 124-2.5(d) of the Commissioner's regulations. This section outlines that the Department and district superintendent shall monitor the implementation of the regionalization plans by component school districts and may conduct site visits and review performance metrics, to ensure outcomes meet the strategic objectives outlined in the plan as related to preparing students for college, career, and civic readiness opportunities and enacting operational efficiencies.

If such metrics are not being met, the Department or district superintendent shall request—not, as originally phrased, “compel”—the component district to amend its section of the regionalization plan to achieve the desired outcomes identified by the component school district. As the work included in the regionalization plans is driven by school districts, this change reiterates that school districts have the flexibility to manage

their sections of the regionalization plan, if the school district chooses to include items in the report. It also recognizes the fundamental principle of the proposed regulation: that local school districts best understand how to craft effective solutions.

Second, the Department received several comments suggesting that the regulation requires them to participate in regionalization discussions. As indicated herein, the regionalization process is voluntary. Thus, the Department has added a provision allowing school districts who do not wish to participate in such efforts to indicate such, in writing, to the Department.

### **Related Regents Items**

[September 2024: Proposed Addition of Part 124 and Subpart 124-2 to Subchapter E of the Regulations of the Commissioner of Education Relating to Regionalization Plans](https://www.regents.nysed.gov/sites/regents/files/924p12a1revised.pdf)  
(<https://www.regents.nysed.gov/sites/regents/files/924p12a1revised.pdf>)

### **Recommendation**

It is recommended that the Board of Regents take the following action:

VOTED: That Part 124 and Subpart 124-2 of Subchapter E of the Regulations of the Commissioner of Education be added, as submitted, effective December 24, 2024.

### **Timetable for Implementation**

If adopted at the December 2024 meeting, the proposed amendment will become effective as a permanent rule on December 24, 2024.

## Attachment A

### AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 215, 305, 1950, and 2204 of the Education Law.

#### Part 124 Board of Cooperative Educational Services

#### Subpart 124-2 Regionalization Plans

#### Section 124-2.1 Purpose and applicability

The purpose of this Part is to establish a framework for the development and implementation of regionalization plans by component school districts in collaboration with district superintendents. The goal of regionalization plans is to increase opportunities for students, build upon the existing strengths and capacity in communities across New York, address enrollment challenges, and manage fiscal constraints by fostering equitable educational environments through regional collaboration.

#### Section 124-2.2 Definitions

#### As used in this Part:

(a) *District superintendent* means the executive officer of a board of cooperative educational services.

(b) *Regionalization* means the process of creating equitable educational opportunities for all students through collaborative partnerships among school districts, BOCES, and other stakeholders.

(c) *Regionalization plan* means a strategic plan for a supervisory district where each component school district works with the district superintendent in the development of the plan, and the plan is designed to improve student opportunities and operational efficiencies through shared resources.

(d) *Supervisory district* means a specific type of educational administrative division responsible for providing shared educational services to multiple school districts

within its jurisdiction, including special education, career and technical education, and various support services. Supervisory districts shall facilitate cooperation and efficiency among school districts, ensuring that they have access to resources and programs that might be difficult to provide individually.

(e) Stakeholder means a group that has a vested interest in the education of students and is involved in, or the potential beneficiary of, regionalization. Stakeholders include, but are not limited to, parents/guardians, business groups, collective bargaining units, professional education organizations, Indigenous nations, institutions of higher education, community groups, cultural institutions, and elected officials, where applicable.

#### Section 124-2.3 Regionalization plan development

(a) Each component school district of a supervisory district shall work with the district superintendent, or an individual designated by the Commissioner in the event of a vacancy in the district superintendent position, to develop and implement a regionalization plan at least every ten years that shall include, but not be limited to, initiatives for enhancing educational opportunities, strategies for operational efficiencies, mechanisms for ongoing evaluation, and other information as prescribed by the Commissioner.

(b) There shall be one regionalization plan for each supervisory district.

(c) The regionalization planning process shall at a minimum include the district superintendents facilitating the completion of the following activities by the component school districts:

(1) a strengths and needs tool on a form prescribed by the Commissioner;

(2) convenings with school districts and stakeholders;

(3) an interim progress report on a form prescribed by the Commissioner; and

(4) the regionalization plan on a form prescribed by the Commissioner.

(d) Neighboring non-component school districts, including the big five city school districts, as well as charter schools and nonpublic schools, shall be invited by the district superintendent to voluntarily participate in the regionalization planning process, where applicable.

Section 124-2.4 Deadlines and approval process

(a) For the initial and subsequent regionalization plans:

(1) each component school district shall submit the strengths and needs tool to the Department on or before November 1, 2024, and on or before each November 1 every 10 years thereafter;

(2) the district superintendent shall launch the first convening with school districts and stakeholders on or before November 1, 2024, and on or before each November 1 every 10 years thereafter;

(3) the district superintendent shall submit the interim progress report to the Department on or before April 1, 2025, and on or before each April 1 every 10 years thereafter; and

(4) the district superintendent shall submit the regionalization plan for the supervisory district to the Department on or before October 1, 2025, and on or before each October 1 every 10 years thereafter.

(b) The regionalization plan shall be reviewed by the Department within 30 days. The Department shall grant approval of regionalization plans based on criteria determined by the Commissioner. Plans that do not meet these criteria shall be returned to the district superintendent with comments. For returned plans, the district superintendent shall work collaboratively with their component school districts to address any concerns and resubmit such plan with edits no later than 30 days. Such



review cycle shall continue until the plan is approved by the Department.

(c) The regionalization planning process shall occur on a 10-year cycle with required activities identified by the Department in consultation with district superintendents, component school districts, and stakeholders.

#### Section 124-2.5 Implementation, amendments, and monitoring

(a) Component school districts and supervisory districts shall begin the implementation of approved regionalization plans no later than the start of the 2026-2027 school year.

(b) District superintendents may submit amendments to the regionalization plan on behalf of the component school districts to the Department for review and approval at any time after the Department's approval of the initial final plan. Such amendments shall be reviewed by the Department pursuant to the process set forth in section 125-2.4(b) of this Subpart.

(c) The district superintendent and component school districts shall review the regionalization plan initiatives and outcomes on occasion throughout the 10-year implementation cycle.

(d) The Department and district superintendent shall monitor the implementation of the regionalization plans by component school districts, and may conduct site visits and review performance metrics, to ensure outcomes meet the strategic objectives outlined in the plan as related to preparing students for college, career, and civic readiness opportunities and enacting operational efficiencies. If such metrics are not being met, the Department or district superintendent shall request the component district to amend its section of the regionalization plan to achieve desired outcomes as set forth by the component school district pursuant to subdivision (b) of this section.

#### Section 124-2.6 Responsibilities

(a) Department responsibilities:

(1) Provide technical assistance, data, guidance, and templates to support supervisory districts in developing regionalization plans.

(2) Review, approve, and provide feedback on submitted interim progress reports, regionalization plans, and amendments.

(3) Share effective practices regarding regionalization from school districts across the state.

(4) Provide ongoing support through technical assistance and evaluative metrics during the implementation of the regionalization plans and conduct site visits, where applicable.

(b) District superintendent responsibilities:

(1) Facilitate the development and implementation of regionalization plans by the component school districts in their supervisory district, including leading convenings and collecting, analyzing, and disseminating data.

(2) Ensure all component school districts actively participate in the planning process and adhere to the Department's guidelines. Work closely with stakeholder groups, neighboring districts, neighboring supervisory districts, non-component school districts, charter schools, and nonpublic schools, among other educational entities, where applicable, to ensure multiple perspectives and the needs of all students are considered.

(3) Serve as a point of contact for the Department regarding regionalization, submit comprehensive regionalization plans and interim progress reports to the Department by the specified deadlines, and provide the Department with updates pertaining to adherence with the requirements of this Subpart.

(4) Support component school districts in the implementation of the approved

plans and submit any necessary amendments on their behalf.

(5) Work with other district superintendents to share effective practices across regions.

(c) Component school district responsibilities:

(1) Collaborate with the district superintendent and other component school districts in the development of the regionalization plan for the supervisory district, including collecting and summarizing needs of the district and addressing feedback from the Department on the plan.

(2) Participate in all convenings scheduled by the district superintendent and adhere to the Department's guidelines.

(3) Implement the approved regionalization plans, identify any necessary amendments to the plan, and engage in continual improvement.

(d) The Department, district superintendents, and component school districts shall undertake any other responsibilities needed to develop or implement regionalization plans or as otherwise directed by the Commissioner.

Section 124-2.7 Administrative costs

Any activities carried out by the district superintendent or the BOCES, pursuant to this Part, shall qualify as part of the BOCES administrative costs.

Section 124-2.8 Non-participation

A school district may elect not to participate in the development of a regionalization plan. If it so elects, the superintendent of a school district, after consultation with their board, shall communicate the district's election, in writing, to the Department's Office of Education Policy, 89 Washington Avenue, Education Building Room 2M, Albany, NY 12234. The deadline for submission of such letters shall be January 15, 2025, and every ten years thereafter.

ASSESSMENT OF PUBLIC COMMENT

Following publication of the Notice of Emergency Adoption and Proposed Rule Making in the State Register on September 25, 2024, the Department received the following comments on the proposed amendment:

1. COMMENT: Several commenters support the rule because they believe it is a collaborative approach that aims to address critical areas in our education system in a manner that is committed to all students.

DEPARTMENT RESPONSE: The comment is supportive of the proposed rule; therefore, no changes are necessary.

2. COMMENT: Many commenters oppose the rule because they believe it was “rushed,” which prevented sufficient stakeholder engagement. They opine that there was no “emergency.” They propose that the process allow for more flexibility and local control, be tailored to the unique needs of districts, and focus on strengthening individual school districts. Some commenters requested that the process be delayed or the deadlines extended.

DEPARTMENT RESPONSE: The Department believes that the use of emergency rulemaking was appropriate. As indicated in the Department’s response to comment ten, it is imperative that discussions begin now as reductions in State Aid could be catastrophic for some school districts. In any event, adoption of this rule on a permanent basis has rendered this issue moot.

Department leadership and staff engaged with local stakeholders in the development of the regionalization initiative beginning in spring 2024, holding discussions around the state in the months leading up to the proposed rule. The rule

requires that component districts and stakeholders collaborate and engage in conversations to provide input into regionalization plans and recommendations.

With respect to timing, for this initial cycle, the Department extended the November 1, 2024 deadline for districts to submit the Strengths & Needs Tool to December 6, 2024. The regulation permits substantial flexibility, which allows districts to develop plans to address their unique needs. The degree of required specificity in the plans is further addressed in the response to comment six. No changes to the proposed rule are necessary.

3. COMMENT: Many commenters oppose the rule because they believe it erodes local control. They further assert that it may, for example, force the reorganization of unwilling school districts or expand the power of BOCES. Some commenters requested explicit confirmation that boards of education do not need to participate in regionalization plans.

DEPARTMENT RESPONSE: Ours is a state system of education. The New York State Constitution identifies the Board of Regents as the head of the State Education Department. N.Y. Const. Art. V, Sec. IV. The Department is led by the Commissioner of Education, who “is the chief executive officer of the state system of education and of the board of regents.” The Commissioner is tasked with “enforc[ing] all general and special laws relating to the educational system of the state and ... all educational policies determined upon by the board of regents.” Education Law § 305 (1). Thus, although school districts are responsible “for the day-to-day operation of the schools,” they are subject to State oversight and regulation. *Campaign for Fiscal Equity, Inc. v. State*, 100 NY2d 893, 904 (2003).

Regionalization is not reorganization. The latter is authorized by Education Law § 314, which permits the Commissioner of Education to reorganize school districts when consistent with the Master Plan for School District Reorganization. The Department eschewed this top-down approach in favor of the voluntary, cooperative initiative embodied in the proposed rule. This initiative acknowledges that there is no one-size-fits-all approach to creating opportunities for students. Thus, the proposed regulations enhance, not diminish, local control.

The role of the District Superintendent has not been expanded under this rule. District Superintendents /Chief Executive Officers of BOCES are charged only with: (1) facilitating and recording the regional conversations; and (2) sharing the plans and recommendations with the Department. District Superintendents do, however, serve as the Commissioner's representatives, as they have done since the early twentieth century.

To the extent commenters complain of mandatory or unwilling participation in such plans, the Department has confirmed the optional nature of the rule by adding a new subpart to the rule allowing a district to indicate its intention not to participate. No additional changes to the proposed rule are necessary.

4. COMMENT: Many commenters oppose the rule because they believe it forces redistribution of local resources, especially tax dollars, to support and educate out-of-district students.

DEPARTMENT RESPONSE: No school district can be identified against their will as a participant in any activities identified in the regionalization plan; relatedly, no district can be forced to reallocate its resources. Local school districts are only required to educate students who have established residency or are homeless under the McKinney-Vento Act. The regionalization plan may not force a school district to educate

out-of-district students without their consent or permission. See also the Department's response to comment three.

To assuage concerns that school districts will be forced to share, the Department has replaced the word "compel" with "request" in section 124-2.5(d) and added a new subpart to the rule allowing a district to indicate its intention not to participate. No additional changes to the proposed rule are necessary.

5. COMMENT: Many commenters oppose the rule because they believe it "punishes" successful school districts that do not need additional resources.

DEPARTMENT RESPONSE: The Department believes that all districts, and the communities and students they serve, can benefit from regional conversations. A purpose of these conversations and their resultant plans is to explore ways to uplift regional strengths, which involves learning from successful practices within districts. These conversations and plans will provide participating districts with a new platform to advocate for tools, resources, and statutory and regulatory relief that they need to best support the work they are engaged in. The Department rejects the zero-sum arguments posed by these commenters.

As indicated above, the Department has added a new subpart to the rule allowing a district to indicate its intention not to participate in a regional plan. No additional changes to the proposed rule are necessary.

6. COMMENT: Many commenters oppose the rule because they believe it lacks clarity or specific expectations. Some commenters recommended renaming the initiative as some school districts have reacted negatively to the concept of "shared resources."

DEPARTMENT RESPONSE: The intention of the regionalization initiative is to foster and support innovative ideas and planning within and across regions of the state.

As such, the proposed rule is designed to provide the outlines of permissible programs. Component districts will collaborate to determine what implementation will look like in their region and how they will measure success toward their vision for equitable opportunities for all students. The Department has provided, and will continue to provide, informal guidance to school districts with specific questions. The proposed rule also preserves the autonomy and flexibility afforded to local school districts; see the Department's responses to comments three and four. Relatedly, the desire for more prescriptive requirements directly conflicts with other commenters' desire for local discretion. The Department has adopted a policy that favors the latter.

The Department believes that changing the name of the initiative at this point would do more harm than good. It could confuse the field or create the impression that there are multiple, competing, and/or overlapping initiatives.

Finally, the Department has added a new subpart allowing a district to indicate its intention not to participate in regionalization plans. No additional changes to the proposed rule are necessary.

7. COMMENT: Many commenters oppose the rule because they believe it unfairly excludes the Big Five school districts.

DEPARTMENT RESPONSE: Under the proposed rule, District Superintendents of Supervisory Districts/Chief Executive Officers of BOCES are required to invite neighboring Big Five school districts to participate in the regionalization planning process. The Big Five school districts are welcome to complete the Strengths and Needs Tool, collaborate with a neighboring region to include their ideas in the recommendations that are submitted as part of the regionalization plan, and participate in the activities identified in the regionalization plan.



However, the regionalization plans will only include activities that individual school districts agree to pursue and implement. No district can be identified against their will as a participant in any particular activities listed in the regionalization plan; see the Department's response to comment four above.

Additionally, as indicated above, the Department has added a new subpart allowing a district to indicate its intention not to participate. No additional changes to the proposed rule are necessary.

8. COMMENT: A council representing a sector of nonpublic schools recommends edits to the rule to ensure that the needs of nonpublic schools are taken into consideration for equal treatment of all students, regardless of where they are enrolled.

DEPARTMENT RESPONSE: Section 124-2.3(d) states that neighboring non-component school districts, including the big five city school districts, as well as charter schools and nonpublic schools must be invited by district superintendents to voluntarily participate in the regionalization planning process, where applicable. The "where applicable" clause provides flexibility regarding the participants in the regionalization planning process. The Department does not believe that it is necessary to include the phrase "nonpublic schools and/or their representatives" in the proposed rule.

The regionalization plans will include activities that the school districts intend to engage in over the following ten years for students enrolled in their districts and/or other districts, charter schools, or nonpublic schools. Nothing in the proposed regulation prohibits regionalization plans from including activities or requests inclusive of the needs of other districts, charter schools, or nonpublic schools. No changes to section 124-2.4(b) or any other section of the proposed rule are necessary.

9. COMMENT: A few commenters oppose the rule because they believe it will not work. For example, one commenter suggests that sharing resources and

educational responsibilities of students across districts will “introduce[e] logistical and financial challenges that outweigh the benefits.” One commenter suggested that the Department study current successful regional collaborations to identify best practices.

DEPARTMENT RESPONSE: The Department believes that the regionalization planning process provides school districts with a systemic mechanism to continually improve through conversations and the analysis of data, leading to innovative ideas that best meet the needs of each local community. The structure of the regionalization conversations and planning is intended to achieve the aim of identifying and sharing best practices, which will occur if districts participate fully and with fidelity. Thus, a survey is unnecessary as those districts that currently enjoy successful regional collaborations can share their experiences with colleagues during the planning process. No changes to the proposed rule are necessary.

10. COMMENT: A few commenters oppose the rule because they believe it diverts funds or links State funding to compliance. They express opposition to tying the submission of any plans or participation to the receipt of any federal, State or local funding.

DEPARTMENT RESPONSE: Neither participating in regionalization discussions nor submitting regionalization plans is tied to the receipt of funding. However, the issue of funding is inextricable from the need to develop regionalization plans. For many districts, changes to Foundation Aid represent an existential threat to their ability to provide even a basic high school program. As such, it is impossible to decouple concerns over school funding with regionalization conversations in ensuring opportunities for all students. No changes to the proposed rule are necessary.

11. COMMENT: Many commenters oppose the rule based on political or social concerns, predicting that it will lower the quality of education in their school districts.

DEPARTMENT RESPONSE: Since school districts are not required to participate in regionalization plans, there can be no effect on their districts. Therefore, no changes are necessary.

12. COMMENT: A few commenters recommend:

- Expanding the number of elected seats in the Board of Elections to address the disparity by allowing local school districts to elect representatives who will better serve their interests.
- Prohibiting daytime school board meetings because it is unfair to ask parents to choose between work and school board meetings.
- Preventing children from being assigned to schools that only focus on one subject (e.g., dance, STEM, engineering).
- Reforming immigration policies.

DEPARTMENT RESPONSE: The comments are beyond the scope of the proposed rule; therefore, no changes are necessary.