

7279

I N S E N A T E

May 2, 2012

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to annual professional performance review plans submitted by the highest performing five percent of school districts

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph k of subdivision 2 of section 3012-c of the
2 education law, as added by chapter 21 of the laws of 2012, is amended to
3 read as follows:
4 k. Notwithstanding any other provision of law, rule or regulation to
5 the contrary, by July first, two thousand twelve, the governing body of
6 each school district and board of cooperative educational services shall
7 adopt a plan, on a form prescribed by the commissioner, for the annual
8 professional performance review of all of its classroom teachers and
9 building principals in accordance with the requirements of this section
10 and the regulations of the commissioner, and shall submit such plan to
11 the commissioner for approval. The plan may be an annual or multi-year
12 plan, for the annual professional performance review of all of its
13 classroom teachers and building principals. The commissioner shall
14 approve or reject the plan by September first, two thousand twelve, or
15 as soon as practicable thereafter. The commissioner may reject a plan
16 that does not rigorously adhere to the provisions of this section and
17 the regulations of the commissioner. Should any plan be rejected, the
18 commissioner shall describe each deficiency in the submitted plan and
19 direct that each such deficiency be resolved through collective bargain-
20 ing to the extent required under article fourteen of the civil service
21 law. If any material changes are made to the plan, the school district
22 or board of cooperative educational services must submit the material
23 changes, on a form prescribed by the commissioner, to the commissioner
24 for approval. To the extent that by July first, two thousand twelve, or
25 by July first of any subsequent year, if all the terms of the plan have
26 not been finalized as a result of unresolved collective bargaining nego-
27 tiations, the entire plan shall be submitted to the commissioner upon

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

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1 resolution of all of its terms, consistent with article fourteen of the
2 civil service law. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
3 CONTRARY, THE HIGHEST PERFORMING FIVE PERCENT OF SCHOOL DISTRICTS, AS
4 DETERMINED BY THE COMMISSIONER, SHALL BE REQUIRED TO SUBMIT THEIR PLAN
5 TO THE COMMISSIONER AND THEIR PLANS SHALL BE DEEMED APPROVED FOR
6 PURPOSES OF THIS SECTION AND THE RECEIPT OF STATE AID.

7 S 2. This act shall take effect immediately.