

STATE OF NEW YORK

891

2017-2018 Regular Sessions

IN ASSEMBLY

January 9, 2017

Introduced by M. of A. GUNTHER, JAFFEE, ARROYO, RAIA, MONTESANO, CROUCH
-- Multi-Sponsored by -- M. of A. COOK, THIELE -- read once and
referred to the Committee on Education

AN ACT to amend the education law, in relation to a moratorium on the
issuance of standardized tests to certain students; and to establish a
task force to develop a system allowing students with individualized
education programs to be evaluated

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

1 Section 1. Section 348 of the education law is renumbered section 349
2 and a new section 348 is added to read as follows:

3 § 348. Moratorium on standardized testing of certain students. The
4 department shall ensure that any test established and/or administered
5 pursuant to this article shall not be given to any student for whom an
6 individualized education program has been created.

7 § 2. 1. The department of education shall establish a task force to
8 develop a system to evaluate students with individualized education
9 programs and their respective teachers with regard to the teacher's
10 annual professional performance review.

11 2. The task force shall consist of thirteen members, one nominated by
12 each member of the board of regents, except at-large members. Each
13 nominee shall be a teacher who is certified in special education and
14 shall reside in the district represented by the member of the board of
15 regents who nominated him or her.

16 3. All nominations shall be confirmed by a majority vote of the entire
17 board of regents.

18 4. The task force shall submit its recommendation of an evaluation
19 system to the governor, the temporary president of the senate, and the
20 speaker of the assembly, within 12 months of the effective date of this
21 section.

22 § 3. This act shall take effect immediately.

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

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