

STATE OF NEW YORK

3690

2017-2018 Regular Sessions

IN SENATE

January 25, 2017

Introduced by Sens. TEDISCO, LATIMER -- 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 the weight assigned to
state-created or administered testing results for calculating the
student performance category of teacher assessments

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

1 Section 1. Paragraph a of subdivision 4 of section 3012-d of the
2 education law, as added by section 2 of subpart E of part EE of chapter
3 56 of the laws of 2015, subparagraph 1 as amended by section 3 of
4 subpart C of part B of chapter 20 of the laws of 2015, is amended to
5 read as follows:

6 a. Student performance category. Such category shall have [~~at least~~
7 ~~one subcomponent and an optional second subcomponent~~] two subcomponents
8 as follows:

9 (1) For the first subcomponent, (A) for a teacher whose course ends in
10 a state-created or administered test for which there is a state-provided
11 growth model, such teacher shall have a state-provided growth score
12 based on such model, which shall take into consideration certain student
13 characteristics, as determined by the commissioner, including but not
14 limited to students with disabilities, poverty, English language learner
15 status and prior academic history and which shall identify educators
16 whose students' growth is well above or well below average compared to
17 similar students for a teacher's or principal's students after the
18 certain student characteristics above are taken into account; and (B)
19 for a teacher whose course does not end in a state-created or adminis-
20 tered test such teacher shall have a student learning objective (SLO)
21 consistent with a goal-setting process determined or developed by the
22 commissioner, that results in a student growth score; provided that, for
23 any teacher whose course ends in a state-created or administered assess-

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

LBD05618-01-7

1 ment for which there is no state-provided growth model, such assessment
2 must be used as the underlying assessment for such SLO;

3 (2) For the [optional] second subcomponent, a district may locally
4 select a second measure in accordance with this subparagraph. Such
5 second measure shall apply in a consistent manner, to the extent practi-
6 cable, across the district and be [~~either: (A) a second state-provided~~
7 ~~growth score on a state-created or administered test under clause (A) of~~
8 ~~subparagraph one of this paragraph, or (B)]~~ a growth score based on a
9 state-designed supplemental assessment, calculated using a state-provid-
10 ed or approved growth model. The [optional] second subcomponent shall
11 provide options for multiple assessment measures that are aligned to
12 existing classroom and school best practices and take into consideration
13 the recommendations in the testing reduction report as required by
14 section one of subpart F of [~~the~~] part EE of chapter fifty-six of the
15 laws of two thousand fifteen [~~which added this section~~] regarding the
16 reduction of unnecessary additional testing.

17 The commissioner shall determine the weights and scoring ranges for
18 the subcomponent or subcomponents of the student performance category
19 that shall result in a combined category rating. Notwithstanding the
20 provisions of section three thousand twelve-c of this article or any
21 other provision of law to the contrary, in no case shall the subcompo-
22 nent calculated pursuant to subparagraph one of this paragraph be
23 assigned a weight in excess of five percent of a teacher's overall
24 assessment under this section. The commissioner shall also set param-
25 eters for appropriate targets for student growth for both subcomponents,
26 and the department must affirmatively approve and shall have the author-
27 ity to disapprove or require modifications of district plans that do not
28 set appropriate growth targets, including after initial approval. The
29 commissioner shall set such weights and parameters consistent with the
30 terms contained herein.

31 § 2. This act shall take effect immediately.