

STATE OF NEW YORK

5576--A

2021-2022 Regular Sessions

IN SENATE

March 11, 2021

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the granting of tenure

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

1 Section 1. Section 3012 of the education law is amended by adding a
2 new subdivision 4 to read as follows:

3 4. Notwithstanding any other provision of this section, at the expira-
4 tion of the probationary term of a classroom teacher or building princi-
5 pal described herein who was appointed during the two thousand seven-
6 teen--two thousand eighteen, two thousand eighteen--two thousand
7 nineteen and two thousand nineteen--two thousand twenty school years,
8 such individual shall be eligible for tenure if he or she received
9 composite annual professional performance review ratings pursuant to
10 section three thousand twelve-c or section three thousand twelve-d of
11 this article, of either effective or highly effective in at least one of
12 the four preceding years and did not receive an ineffective rating in
13 the final year of his or her probationary period, or during the most
14 recent school year where a rating was received. Any probationary class-
15 room teacher hired during the two thousand twenty--two thousand twenty-
16 one school year who was appointed on tenure in another school district
17 within the state, the school district where currently employed, board of
18 cooperative educational services or state school for the blind or deaf
19 and who was not dismissed from such district, board or state school for
20 the blind or deaf as a result of charges brought pursuant to subdivision
21 one of section three thousand twenty-a or section three thousand twen-
22 ty-b of this article, shall be appointed for a probationary period of
23 three years; provided that, in the case of a classroom teacher such
24 individual demonstrates that he or she received an annual professional

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

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performance review rating pursuant to section three thousand twelve-c or section three thousand twelve-d of this article in the two thousand seventeen--two thousand eighteen or two thousand eighteen--two thousand nineteen school year. Any probationary classroom teachers or building principals described herein who were appointed during the two thousand twenty--two thousand twenty-one school year shall be eligible for tenure at the expiration of his or her probationary period if he or she received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this article of either effective or highly effective in at least two of the four preceding years and did not receive an ineffective rating in the final year of his or her probationary period, or during the most recent school year where a rating was received.

§ 2. Section 3012-d of the education law is amended by adding a new subdivision 17 to read as follows:

17. Notwithstanding any other provision of this section, for the two thousand twenty--two thousand twenty-one school year, no school district or board of cooperative educational services shall complete an annual professional performance review required by this section for any classroom teacher or building principal and state funding shall not be withheld from any school district for not completing the annual professional performance review.

§ 3. Section 3014 of the education law is amended by adding a new subdivision 3 to read as follows:

3. Notwithstanding any other provision of this section, at the expiration of the probationary term of a classroom teacher or building principal described herein who was appointed during the two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen and two thousand nineteen--two thousand twenty school years, such individual shall be eligible for tenure if he or she received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this article of either effective or highly effective in at least one of the four preceding years and did not receive an ineffective rating in the final year of his or her probationary period or during the most recent school year where a rating was received. Any probationary classroom teacher, hired during the two thousand twenty--two thousand twenty-one school year who was appointed on tenure in another school district within the state, the school district where currently employed, board of cooperative educational services or state school for the blind or deaf and who was not dismissed from such district, board or state school for the blind or deaf as a result of charges brought pursuant to subdivision one of section three thousand twenty-a or section three thousand twenty-b of this article, such teacher, shall be appointed for a probationary period of three years; provided that, in the case of a classroom teacher such individual demonstrates that he or she received an annual professional performance review rating pursuant to section three thousand twelve-c or section three thousand twelve-d of this article in the two thousand seventeen--two thousand eighteen or two thousand eighteen--two thousand nineteen school year. Any probationary classroom teachers or building principals described herein who were appointed during the two thousand twenty--two thousand twenty-one school year shall be eligible for tenure at the expiration of his or her probationary period if he or she received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this article of either effective or

1 highly effective in at least two of the four preceding years and did not
2 receive an ineffective rating in the final year of his or her probation-
3 ary period, or during the most recent school year where a rating was
4 received.

5 § 4. Section 2509 of the education law is amended by adding a new
6 subdivision 2-a to read as follows:

7 2-a. Notwithstanding any other provision of this section, at the expi-
8 ration of the probationary term of a classroom teacher or building prin-
9 icipal described herein who was appointed during the two thousand seven-
10 teen--two thousand eighteen, two thousand eighteen--two thousand
11 nineteen and two thousand nineteen--two thousand twenty school years,
12 such individual shall be eligible for tenure if he or she received
13 composite annual professional performance review ratings pursuant to
14 section three thousand twelve-c or section three thousand twelve-d of
15 this chapter of either effective or highly effective in at least one of
16 the four preceding years and did not receive an ineffective rating in
17 the final year of his or her probationary period or during the most
18 recent school year where a rating was received. Any probationary class-
19 room teacher hired during the two thousand twenty--two thousand twenty-
20 one school year who was appointed on tenure in another school district
21 within the state, the school district where currently employed, board of
22 cooperative educational services or state school for the blind or deaf
23 and who was not dismissed from such district, board or state school for
24 the blind or deaf as a result of charges brought pursuant to subdivision
25 one of section three thousand twenty-a or section three thousand twen-
26 ty-b of this chapter, such teacher, shall be appointed for a probation-
27 ary period of three years; provided that, in the case of a classroom
28 teacher such individual demonstrates that he or she received an annual
29 professional performance review rating pursuant to section three thou-
30 sand twelve-c or section three thousand twelve-d of this chapter in the
31 two thousand seventeen--two thousand eighteen or two thousand eighteen-
32 two thousand nineteen school year. Any probationary classroom teachers
33 or building principals described herein who were appointed during the
34 two thousand twenty--two thousand twenty-one school year shall be eligi-
35 ble for tenure at the expiration of his or her probationary period if
36 they have received composite annual professional performance review
37 ratings pursuant to section three thousand twelve-c or section three
38 thousand twelve-d of this chapter of either effective or highly effec-
39 tive in at least two of the four preceding years and did not receive an
40 ineffective rating in the final year of his or her probationary period,
41 or during the most recent school year where a rating was received.

42 § 5. Section 2573 of the education law is amended by adding a new
43 subdivision 1-a to read as follows:

44 1-a. Notwithstanding any other provision of this section, at the expi-
45 ration of the probationary term of a classroom teacher or building prin-
46 icipal described herein who was appointed during the two thousand seven-
47 teen--two thousand eighteen, two thousand eighteen--two thousand
48 nineteen and two thousand nineteen--two thousand twenty school years,
49 such individual shall be eligible for tenure if he or she received
50 composite annual professional performance review ratings pursuant to
51 section three thousand twelve-c or section three thousand twelve-d of
52 this chapter of either effective or highly effective in at least one of
53 the four preceding years and did not receive an ineffective rating in
54 the final year of his or her probationary period or during the most
55 recent school year where a rating was received. Any probationary class-
56 room teacher or building principal hired during the two thousand twen-

1 ty--two thousand twenty-one school year who was appointed on tenure in
2 another school district within the state, the school district where
3 currently employed, board of cooperative educational services or state
4 school for the blind or deaf and who was not dismissed from such
5 district, board or state school for the blind or deaf as a result of
6 charges brought pursuant to subdivision one of section three thousand
7 twenty-a or section three thousand twenty-b of this chapter, such teach-
8 er shall be appointed for a probationary period of three years; provided
9 that, in the case of a classroom teacher such individual demonstrates
10 that he or she received an annual professional performance review rating
11 pursuant to section three thousand twelve-c or section three thousand
12 twelve-d of this chapter in the two thousand seventeen--two thousand
13 eighteen or two thousand eighteen--two thousand nineteen school year.
14 Any probationary classroom teachers or building principals described
15 herein who were appointed during the two thousand twenty--two thousand
16 twenty-one school year shall be eligible for tenure at the expiration of
17 his or her probationary period if they have received composite annual
18 professional performance review ratings pursuant to section three thou-
19 sand twelve-c or section three thousand twelve-d of this chapter of
20 either effective or highly effective in at least two of the four preced-
21 ing years and did not receive an ineffective rating in the final year of
22 his or her probationary period, or during the most recent school year
23 where a rating was received.

24 § 6. This act shall take effect immediately.