

STATE OF NEW YORK

10040

IN ASSEMBLY

January 30, 2026

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to access to statewide teacher support and retention programs

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

1 Section 1. The education law is amended by adding a new section 4411
2 to read as follows:

3 § 4411. Access to statewide teacher support and retention programs. 1.
4 For the purposes of this section, the following terms shall have the
5 following meanings:

6 (a) "Covered school" means a school or preschool receiving funding
7 under this article for the provision of special education.

8 (b) "Teacher support and retention program" means any statewide initi-
9 ative, policy, funding stream, or award program administered, author-
10 ized, or overseen by the department, the regents, the university of the
11 state of New York, or any other state-affiliated educational entity:

12 (i) that is designed to:

13 (1) recruit individuals into the teaching profession;

14 (2) support teacher preparation, certification, or licensure;

15 (3) provide professional development, mentorship, or continuing educa-
16 tion;

17 (4) recognize teaching excellence or support teacher leadership;

18 (5) retain teachers in high-need, underserved, or hard-to-staff
19 schools or subject areas;

20 (6) promote teacher diversity, equity, inclusion, and cultural respon-
21 siveness; or

22 (7) offer financial or career-based incentives to enhance recruitment
23 and retention, including but not limited to scholarships, stipends,
24 housing assistance, loan forgiveness, tuition reimbursement, or wage
25 supplements; and

26 (ii) including, but not limited to:

27 (1) the teacher opportunity corps (TOC);

28 (2) the empire state excellence in teaching awards;

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

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1 (3) the New York state master teacher program; and
2 (4) any successor or future initiative designed to support or retain
3 qualified teachers within the state of New York.

4 2. All teachers employed by a covered school shall be deemed to be
5 eligible participants in all teacher support and retention programs.
6 Such eligibility shall not be denied, limited, or conditioned solely on
7 the basis that such teacher is employed by a non-district school, a
8 non-public school, or a program that contracts with a public agency
9 pursuant to this article.

10 3. The commissioner shall, no later than one hundred twenty days after
11 the effective date of this section:

12 (a) update all relevant rules, regulations, administrative procedures,
13 and program eligibility requirements for teacher support and retention
14 programs to reflect inclusion of teachers employed by covered schools;

15 (b) ensure application materials, outreach efforts, and guidance docu-
16 ments for teacher support and retention programs explicitly include such
17 teachers employed by covered schools;

18 (c) provide technical assistance and outreach to approved covered
19 schools to promote awareness and access to teacher support and retention
20 programs; and

21 (d) include representatives of covered schools in teacher support and
22 retention program advisory, design, or evaluation activities, where such
23 covered school input is solicited.

24 4. (a) Notwithstanding subdivision two of this section, a teacher
25 support or retention program may limit eligibility to teachers employed
26 by public school districts only if:

27 (i) the department or the administering agency has conducted and docu-
28 mented a good faith due diligence review to assess whether such
29 program's legal authority, funding source, or operational design permits
30 inclusion of educators employed by covered schools; and

31 (ii) the department determines, in writing, that such inclusion under
32 subparagraph (i) of this paragraph is not legally or operationally
33 feasible due to one or more of the following:

34 (1) state or federal statutory restrictions;

35 (2) contractual obligations limiting participation to district employ-
36 ees; or

37 (3) programmatic design features that are inherently exclusive to
38 public district-based employment.

39 (b) A summary of any determination made under subparagraph (ii) of
40 paragraph (a) of this subdivision, including a statement of reasons,
41 shall be:

42 (i) made publicly available on the department's website; and

43 (ii) submitted in writing to the chairs of the senate and assembly
44 education committees within thirty days of such determination.

45 § 2. This act shall take effect immediately.