S T A T E O F N E W Y O R K

5029

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

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

AN ACT to amend the education law, in relation to enacting the educational standards and assessment act of 2009

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

Section 1. This act shall be known as "the educational standards and assessment act of 2009".

S 2. Legislative findings and purpose. The legislature finds that standardized state-wide tests are not the only valid measurement of success in meeting higher standards. There is substantial controversy about the use of such standardized tests as the sole method of evaluating student performance. There are many students whose command of information presented to them in class, whose ability to think independently and creatively, and whose ability to express themselves is unquestionable. It is equally clear that these skills may not always be accurately measured by the ability to pass standardized tests under time pressure.

Therefore, it is the purpose of this act to permit school districts which have identified either individual students or groups of students suitable for such purpose to create an alternative assessment procedure. These alternative assessment procedures may include an individual assessment plan as an alternative to state-wide standardized regents exams or as a supplement to them for those who take and pass some or most of the regents exams. They may include alternative standardized testing.

S 3. The education law is amended by adding a new section 319 to read as follows:

S 319. ALTERNATIVE ASSESSMENT PROCEDURE. 1. SCHOOL DISTRICTS WHICH HAVE IDENTIFIED EITHER INDIVIDUAL STUDENTS OR GROUPS OF STUDENTS SUITABLE THEREFOR MAY CREATE AN ALTERNATIVE ASSESSMENT PROCEDURE. ALTERNATIVE ASSESSMENT PROCEDURES MAY INCLUDE AN INDIVIDUAL ASSESSMENT PLAN AS

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

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AN ALTERNATIVE TO STATE-WIDE STANDARDIZED REGENTS EXAMS OR AS A SUPPLEMENT TO THEM FOR THOSE WHO TAKE AND PASS SOME OR MOST OF THE REGENTS EXAMS. SUCH PLAN MAY INCLUDE THE ABILITY TO DO SEGMENTED RETESTING FOR THOSE WHO FAIL PART OF A REGENTS EXAM AND ALTERNATIVE STANDARDIZED TESTING.

2. ALTERNATIVE ASSESSMENT PROCEDURES SHALL HAVE ALL ELEMENTS OF THE STANDARDS, CURRICULUM, INSTRUCTION, AND ASSESSMENTS RIGOROUSLY MAINTAINED AND PROVIDE FOR THE CREATION, BASED ON THE MODEL OF THE EXISTING STATE ASSESSMENT PANELS, OF REGIONAL ASSESSMENT PANELS. SUCH PANELS SHALL RIGOROUSLY EVALUATE AND APPROVE ANY ALTERNATIVE ASSESSMENT MECHANISM. THE PANELS SHALL BE EXTERNAL AND REGIONAL, SHALL BE FAIR AND UNIFORM IN EFFECT, SHALL ENSURE THE ALIGNMENT OF CURRICULUM TO STATE STANDARDS, SHALL ADHERE TO CUMULATIVE DOCUMENTATION OF STUDENT ACHIEVEMENT AND SPECIFIED CRITERIA FOR SPECIFIC LEVELS OF MASTERY, AND SHALL REQUIRE RIGOROUS PROFESSIONAL DEVELOPMENT FOR THOSE WHO SERVE AS EVALUATORS.

S 4. This act shall take effect immediately.