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

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I N A S S E M B L Y

March 16, 2012

Introduced by M. of A. GLICK, McENENY, ROSENTHAL, TITONE, CAHILL, COOK, JAFFEE, CRESPO -- Multi-Sponsored by -- M. of A. BARRON, BRAUNSTEIN, CASTRO, DUPREY, FINCH, GIBSON, MAGEE, MAISEL, MARKEY, MILLMAN, MONTESANO, REILLY, ROBERTS, SWEENEY, ZEBROWSKI -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring charter schools to meet the same teacher evaluation standards as the public school district in which such charter school resides

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

Section 1. Subdivision 3 of section 2854 of the education law is amending by adding a new paragraph (a-4) to read as follows:

(A-4) THE BOARD OF TRUSTEES OF A CHARTER SCHOOL SHALL USE THE SAME TEACHER EVALUATION STANDARDS AS ESTABLISHED IN THE PUBLIC SCHOOL DISTRICT IN WHICH SUCH CHARTER SCHOOL RESIDES.

S 2. Paragraph (d) and (e) of subdivision 1 of section 2855 of the education law, subdivision (d) as amended and subdivision (e) as added by chapter 101 of the laws of 2010, are amended and a new paragraph (f) is added to read as follows:

(d) When the public employment relations board makes a determination that the charter school demonstrates a practice and pattern of egregious and intentional violations of subdivision one of section two hundred nine-a of the civil service law involving interference with or discrimination against employee rights under article fourteen of the civil service law; [or]

(e) Repeated failure to comply with the requirement to meet or exceed enrollment and retention targets of students with disabilities, English language learners, and students who are eligible applicants for the free and reduced price lunch program pursuant to targets established by the board of regents or the board of trustees of the state university of New York, as applicable. Provided, however, if no grounds for terminating a charter are established pursuant to this section other than pursuant to this paragraph, and the charter school demonstrates that it has made extensive efforts to recruit and retain such students, including

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

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outreach to parents and families in the surrounding communities, widely publicizing the lottery for such school, and efforts to academically support such students in such charter school, then the charter entity or board of regents may retain such charter[.]; OR

(F) WHEN A CHARTER SCHOOL FAILS TO DEMONSTRATE COMPLIANCE WITH THE SAME TEACHER EVALUATION STANDARDS AS ESTABLISHED IN THE PUBLIC SCHOOL DISTRICT IN WHICH SUCH CHARTER SCHOOL RESIDES, AS SUCH REQUIREMENT IS SET FORTH IN PARAGRAPH (A-4) OF SUBDIVISION THREE OF SECTION TWENTY-EIGHT HUNDRED FIFTY-FOUR OF THIS ARTICLE.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.