

9563

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, MONTES-ANO, 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:

1 Section 1. Subdivision 3 of section 2854 of the education law is
2 amending by adding a new paragraph (a-4) to read as follows:
3 (A-4) THE BOARD OF TRUSTEES OF A CHARTER SCHOOL SHALL USE THE SAME
4 TEACHER EVALUATION STANDARDS AS ESTABLISHED IN THE PUBLIC SCHOOL
5 DISTRICT IN WHICH SUCH CHARTER SCHOOL RESIDES.
6 S 2. Paragraph (d) and (e) of subdivision 1 of section 2855 of the
7 education law, subdivision (d) as amended and subdivision (e) as added
8 by chapter 101 of the laws of 2010, are amended and a new paragraph (f)
9 is added to read as follows:
10 (d) When the public employment relations board makes a determination
11 that the charter school demonstrates a practice and pattern of egregious
12 and intentional violations of subdivision one of section two hundred
13 nine-a of the civil service law involving interference with or discrimi-
14 nation against employee rights under article fourteen of the civil
15 service law; [or]
16 (e) Repeated failure to comply with the requirement to meet or exceed
17 enrollment and retention targets of students with disabilities, English
18 language learners, and students who are eligible applicants for the free
19 and reduced price lunch program pursuant to targets established by the
20 board of regents or the board of trustees of the state university of New
21 York, as applicable. Provided, however, if no grounds for terminating a
22 charter are established pursuant to this section other than pursuant to
23 this paragraph, and the charter school demonstrates that it has made
24 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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1 outreach to parents and families in the surrounding communities, widely
2 publicizing the lottery for such school, and efforts to academically
3 support such students in such charter school, then the charter entity or
4 board of regents may retain such charter[.]; OR

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

10 S 3. This act shall take effect on the one hundred twentieth day after
11 it shall have become a law. Effective immediately, the addition, amend-
12 ment and/or repeal of any rule or regulation necessary for the implemen-
13 tation of this act on its effective date is authorized to be made on or
14 before such date.