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

9718

I N A S S E M B L Y

March 27, 2012

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

AN ACT to amend a chapter of the laws of 2012, relating to school district eligibility for an increase in apportionment of school aid and implementation of new standards for conducting annual professional performance reviews to determine teacher and principal effectiveness, as proposed in legislative bill numbers S.6257-B and A.9057-B, in relation to providing a four percent across the board increase to funding allocated to school districts in New York state

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

Section 1. Section 1 of part A of a chapter of the laws of 2012, relating to school district eligibility for an increase in apportionment of school aid and implementation of new standards for conducting annual professional performance reviews to determine teacher and principal effectiveness, as proposed in legislative bill numbers S.6257-B and A.9057-B, is amended to read as follows:

Section 1. Notwithstanding any inconsistent provision of law, [no] ALL school [district] DISTRICTS shall be eligible for an apportionment of general support for public schools from the funds appropriated for the 2012-13 school year and thereafter in excess of the amount apportioned to such district for the same time period during the base year [unless such school district has submitted documentation that has been approved by the commissioner of education by January 17, 2013 demonstrating that it has fully implemented new standards and procedures for conducting annual professional performance reviews of classroom teachers and building principals to determine teacher and principal effectiveness including but not limited to providing for (i) state assessments and other comparable measures which shall comprise twenty or twenty-five percent of the evaluation; (ii) locally selected measures of the student achievement subcomponent which shall comprise twenty or fifteen percent of the evaluation; (iii) subjective measures of effectiveness that have been approved by the commissioner with the majority of such points based on multiple observations by an administrator or principal with at least

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

LBD14939-02-2

one unannounced observation which shall comprise 60 percent of the evaluation; and (iv) a scoring rubric which ensures that it is possible to receive any one of four ratings limited to highly effective, effective, developing and ineffective; provided however that if any such payments in excess of the amount apportioned to such district for the same time period during the base year were made, and the school district has not submitted documentation that it has fully implemented new standards and procedures as set forth above that has been approved by the commissioner of education by January 17, 2013, the total amount of such payments shall be deducted by the commissioner from future payments to the school district; provided further that, for the 2012-13 school year if such deduction is greater than the sum of the amounts available for such deductions, the remainder of the deduction shall be withheld from payments scheduled to be made to the school district pursuant to section 3609-a of the education law for the 2013-14 school year; provided further that notwithstanding any inconsistent provision of law to the contrary such documentation shall include a plan adopted by the governing board of the school district for conducting annual professional performance reviews of classroom teachers and building principals that has been approved by the commissioner, and in order to be approvable such plan shall conform with the requirements for conducting annual professional performance reviews of classroom teachers and building principals, including but not limited to (i) state assessments and other comparable measures which shall comprise twenty or twenty-five percent of the evaluation; (ii) locally selected measures of the student achievement subcomponent which shall comprise twenty or fifteen percent of the evaluation; (iii) subjective measures of effectiveness that have been approved by the commissioner with the majority of such points based on multiple observations by an administrator or principal with at least one unannounced observation which shall comprise 60 percent of the evaluation; and (iv) a scoring rubric which ensures that it is possible to receive any one of four ratings limited to highly effective, effective, developing and ineffective; consistent with and conforms to a chapter of the laws of 2012 enacted as legislation submitted by the governor pursuant to Article VII of the New York constitution; and provided further that for a school district in a city with a population of one million or more, notwithstanding any inconsistent provision of law, no such school district shall be eligible for an apportionment of general support for public schools from the funds appropriated for the 2012-13 school year and thereafter in excess of the amount appropriated to such district for the same time period during the base year unless such school district has submitted documentation that has been approved by the commissioner by January 17, 2013 demonstrating that it has adopted an expeditious appeals process pertaining to the annual professional performance review of classroom teachers and building principals that is consistent with and conforms to a chapter of the laws of 2012 enacted as legislation submitted by the governor pursuant to Article VII of the New York constitution and if any such payments in excess of the amount apportioned to such district for the same time period during the base year were made, and the school district has not submitted documentation that has been approved by the commissioner by January 17, 2013 that it has adopted an expeditious appeals process pertaining to the annual professional performance review of classroom teachers and building principals that is consistent with and conforms to a chapter of the laws of 2012 enacted as legislation submitted by the governor pursuant to Article VII of the New York constitution, the total amount of such payments shall be

deducted by the commissioner from future payments to the school district; and provided further that, for the 2012-13 school year if such deduction is greater than the sum of the amounts available for such deductions, the remainder of the deduction shall be withheld from payments scheduled to be made to the school district pursuant to section 3609-a of the education law for the 2013-14 school year].

S 2. Allocated aid provided pursuant to a chapter of the laws of 2012 relating to school district eligibility for an increase in apportionment of school aid and implementation of new standards for conducting annual professional performance reviews to determine teacher and principal effectiveness, as proposed in legislative bill numbers S.6257-B and A.9057-B, shall be distributed equally amongst all school districts without regard to any formula established for the distribution of school aid under the education law.

S 3. This act shall take effect immediately, provided, however, that the amendments made by section one of this act shall take effect on the same date and in the same manner as section one of part A of a chapter of the laws of 2012 relating to school district eligibility for an increase in apportionment of school aid and implementation of new standards for conducting annual professional performance reviews to determine teacher and principal effectiveness, as proposed in legislative bill numbers S.6257-B and A.9057-B, takes effect.