

5777

2011-2012 Regular Sessions

I N   S E N A T E

June 15, 2011

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Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to permitting the parents of pupils attending a persistently lowest-achieving school to choose an education intervention model

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 3613  
2     to read as follows:

3     S 3613. PERSISTENTLY LOWEST-ACHIEVING SCHOOLS; INTERVENTION MODELS. 1.  
4     FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL MEAN: A.  
5     "PERSISTENTLY LOWEST-ACHIEVING (PLA) SCHOOLS", THE BOTTOM FIVE PERCENT  
6     OF TITLE ONE SCHOOLS IN IMPROVEMENT, CORRECTIVE ACTION OR RESTRUCTURING  
7     STATUS THAT HAVE THE LOWEST COMBINED PERFORMANCE ON THE STATE'S ENGLISH  
8     LANGUAGE ARTS AND MATHEMATICS TESTS AND THAT HAVE FAILED TO DEMONSTRATE  
9     PROGRESS ON THESE ASSESSMENTS.

10    B. "INTERVENTION MODELS", FEDERAL EDUCATION INTERVENTION MODELS WHICH  
11    INCLUDE THE TURNAROUND MODEL, RESTART MODEL, TRANSFORMATION MODEL OR  
12    CLOSURE MODEL. IN ORDER TO BE ELIGIBLE FOR FEDERAL EDUCATION IMPROVE-  
13    MENT GRANTS, THE UNITED STATES DEPARTMENT OF EDUCATION REQUIRES A PLA  
14    SCHOOL TO EITHER: (1) REDESIGN OR REPLACE SUCH SCHOOL (TURNAROUND); (2)  
15    CONVERT SUCH SCHOOL TO A CHARTER SCHOOL OR CONTRACT WITH AN EDUCATIONAL  
16    PARTNERSHIP ORGANIZATION TO OPERATE SUCH SCHOOL (RESTART); (3) TRANSFORM  
17    SUCH SCHOOL (TRANSFORMATION); OR (4) CLOSE SUCH SCHOOL AND TRANSFER  
18    STUDENTS TO HIGHER PERFORMING SCHOOLS IN THE DISTRICT (CLOSURE).

19    2. ANY SCHOOL IDENTIFIED BY THE COMMISSIONER AS PERSISTENTLY  
20    LOWEST-ACHIEVING AND THAT IS REQUIRED TO IMPLEMENT ONE OF FOUR INTER-  
21    VENTION MODELS, IN ACCORDANCE WITH ELIGIBILITY REQUIREMENTS ESTABLISHED  
22    FOR FEDERAL EDUCATION IMPROVEMENT GRANTS, SHALL PERMIT THE PARENTS OR  
23    LEGAL GUARDIANS OF PUPILS ATTENDING SUCH PLA SCHOOL TO CHOOSE WHICH  
24    INTERVENTION MODEL SHALL BE IMPLEMENTED IF AT LEAST FIFTY-FIVE PERCENT

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

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1 OF THE PARENTS OR LEGAL GUARDIANS OF PUPILS ATTENDING SUCH SCHOOL HAVE  
2 VOTED AND SIGNED A PETITION IDENTIFYING ONE INTERVENTION MODEL.  
3 PROVIDED, HOWEVER, FOR THE PURPOSES OF THIS SECTION ELIGIBLE SCHOOLS MAY  
4 CHOOSE TO IMPLEMENT EITHER THE TURNAROUND MODEL, RESTART MODEL OR TRANS-  
5 FORMATION MODEL AS IDENTIFIED IN PARAGRAPH B OF SUBDIVISION ONE OF THIS  
6 SECTION.

7 3. THE PROVISIONS OF THIS SECTION SHALL BE APPLICABLE TO CITIES HAVING  
8 A POPULATION OF MORE THAN TWO HUNDRED TWENTY-FIVE THOUSAND AND LESS THAN  
9 THREE HUNDRED THOUSAND.

10 S 2. This act shall take effect immediately.