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

6878

I N S E N A T E

April 4, 2012

Introduced by COMMITTEE ON RULES -- 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:

Section 1. The education law is amended by adding a new section 3613 to read as follows:

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

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

2. ANY SCHOOL IDENTIFIED BY THE COMMISSIONER AS PERSISTENTLY LOWEST-ACHIEVING AND THAT IS REQUIRED TO IMPLEMENT ONE OF FOUR INTERVENTION MODELS, IN ACCORDANCE WITH ELIGIBILITY REQUIREMENTS ESTABLISHED FOR FEDERAL EDUCATION IMPROVEMENT GRANTS, SHALL PERMIT THE PARENTS OR LEGAL GUARDIANS OF PUPILS ATTENDING SUCH PLA SCHOOL TO CHOOSE WHICH INTERVENTION MODEL SHALL BE IMPLEMENTED IF AT LEAST FIFTY-FIVE PERCENT OF THE PARENTS OR LEGAL GUARDIANS OF PUPILS ATTENDING SUCH SCHOOL HAVE VOTED AND SIGNED A PETITION IDENTIFYING ONE INTERVENTION MODEL. PROVIDED, HOWEVER, FOR THE PURPOSES OF THIS SECTION ELIGIBLE SCHOOLS MAY

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

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CHOOSE TO IMPLEMENT EITHER THE TURNAROUND MODEL, RESTART MODEL OR TRANSFORMATION MODEL AS IDENTIFIED IN PARAGRAPH B OF SUBDIVISION ONE OF THIS SECTION.

3. THE PROVISIONS OF THIS SECTION SHALL BE APPLICABLE TO CITIES HAVING A POPULATION OF MORE THAN ONE HUNDRED TWENTY-FIVE THOUSAND.

S 2. This act shall take effect immediately.