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

10112

I N A S S E M B L Y

June 14, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Nolan) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to annual professional performance review

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

Section 1. Section 3012-c of the education law is amended by adding a new subdivision 2-a to read as follows:

2-A. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, FOR THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN AND TWO THOUSAND FOURTEEN--TWO THOUSAND FIFTEEN SCHOOL YEARS, A CLASSROOM TEACHER'S OR BUILDING PRINCIPAL'S (I) STATE ASSESSMENTS AND OTHER COMPARABLE MEASURES SUBCOMPONENT SCORE OR (II) LOCALLY SELECTED MEASURES OF STUDENT ACHIEVEMENT SUBCOMPONENT SCORE SHALL NOT BE CONSIDERED WHEN CALCULATING SUCH TEACHER'S OR PRINCIPAL'S COMPOSITE EFFECTIVENESS SCORE IF SUCH SUBCOMPONENT SCORE OR SCORES WERE BASED IN WHOLE OR IN PART ON A STATE ADMINISTERED STANDARDIZED ENGLISH LANGUAGE ARTS AND/OR MATH ASSESSMENTS ALIGNED TO THE COMMON CORE LEARNING STANDARDS ADOPTED BY THE BOARD OF REGENTS; PROVIDED THAT IN SUCH CASES, THE COMPOSITE EFFECTIVENESS SCORE OF SUCH TEACHER OR PRINCIPAL SHALL BE CALCULATED BY DIVIDING SUCH TEACHER'S OR PRINCIPAL'S SUBCOMPONENT SCORE OR SCORES THAT ARE NOT EXCLUDED BY THIS SUBDIVISION BY THE MAXIMUM NUMBER OF ALLOWABLE POINTS CONSISTENT WITH THIS SUBDIVISION AND MULTIPLYING SUCH FIGURE BY ONE HUNDRED.

S 2. The commissioner of education is hereby authorized and directed to apply for and obtain any federal approvals or waivers he or she deems necessary including, but not limited to, waivers to the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001.

S 3. The commissioner of education is authorized to and shall promulgate any and all rules and regulations and take any other measures necessary to implement the provisions of this act.

S 4. This act shall take effect immediately, provided that if this act shall have become a law after June 30, 2014 it shall take effect immediately and shall be deemed to have been in full force and effect on and

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

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after June 30, 2014; and provided further that section one of this act shall expire and be deemed repealed if any necessary federal approvals or waivers relating to section one and section two of this act have been denied provided that the commissioner of education shall notify the legislative bill drafting commission upon such occurrence in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.