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I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. SCHIMEL, ZEBROWSKI -- Multi-Sponsored by -- M. of A. THIELE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing the exemplary district mentorship program

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

Section 1. Article 3 of the education law is amended by adding a new part 2 to read as follows:

PART II

EXEMPLARY DISTRICTS

SECTION 150. LEGISLATIVE INTENT.
151. DETERMINATION OF EXEMPLARY DISTRICTS.
152. EXEMPLARY DISTRICT MENTORSHIP PROGRAM.
153. MANDATE EXEMPTION.

S 150. LEGISLATIVE INTENT. IT IS THE INTENT OF THE LEGISLATURE TO FOSTER THE DEVELOPMENT AND CODIFICATION OF A BEST PRACTICE MODEL FOR STUDENT SUCCESS AND FISCAL RESPONSIBILITY BY DETERMINING CERTAIN DISTRICTS TO BE EXEMPLARY DISTRICTS AND BY ESTABLISHING AN EXEMPLARY DISTRICT MENTORSHIP PROGRAM. TO ALLOW CERTAIN HIGHLY SUCCESSFUL SCHOOLS TO HELP OTHER SCHOOLS ACHIEVE SUCCESS, THE HIGHLY SUCCESSFUL SCHOOLS SHALL RECEIVE EXEMPTIONS FROM TESTING AND PAPERWORK REQUIREMENTS SET FORTH BY THE STATE IN EXCHANGE FOR MENTORING CERTAIN OTHER SCHOOLS. IT IS THE INTENT OF THIS PROGRAM THAT MORE DISTRICTS WILL BECOME EXEMPLARY DISTRICTS EACH YEAR AND THAT THE CRITERIA FOR DETERMINING EXEMPLARY DISTRICTS SHALL BECOME MORE RIGOROUS AS STUDENT ACHIEVEMENT GAINS ARE MADE.

S 151. DETERMINATION OF EXEMPLARY DISTRICTS. 1. ANY SCHOOL DISTRICT WITH A SUSTAINED GRADUATION RATE OVER NINETY-FIVE PERCENT FOR A FIVE YEAR PERIOD SHALL BE AN EXEMPLARY DISTRICT.

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

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2. THE COMMISSIONER, IN CONSULTATION WITH THE NEW YORK STATE COUNCIL OF SCHOOL SUPERINTENDENTS, SHALL GROUP SCHOOL DISTRICTS BY THEIR NEEDS PROFILE, AS DETERMINED BY CONSIDERING THE PERCENTAGE OF STUDENTS ELIGIBLE FOR FREE OR REDUCED LUNCHES, THE PERCENTAGE OF ENGLISH LANGUAGE LEARNERS, AND CENSUS AND FINANCIAL DATA PROVIDED BY THE DEPARTMENT OF TAXATION AND FINANCE. SCHOOL DISTRICTS WITHIN THE TOP TEN PERCENT OF THEIR NEEDS PROFILE GROUPING WITHIN EACH ESTABLISHED REGENTS AREA AND/OR WITH TWENTY PERCENT HIGHER GRADUATION RATES THAN OTHER DISTRICTS WITHIN THE SAME NEEDS PROFILE GROUPING MAY BE DETERMINED TO BE EXEMPLARY DISTRICTS AT THE DISCRETION OF THE COMMISSIONER.

3. EXEMPLARY DISTRICTS SHALL BE REVIEWED EVERY THREE YEARS TO DETERMINE WHETHER SUCH DISTRICTS SHALL RETAIN THE STATUS OF BEING AN EXEMPLARY DISTRICT.

S 152. EXEMPLARY DISTRICT MENTORSHIP PROGRAM. 1. EXEMPLARY DISTRICTS MAY ESTABLISH LOCAL CRITERIA FOR EVALUATION OF STUDENTS AND STAFF. ANY EXEMPLARY DISTRICT ESTABLISHING SUCH LOCAL CRITERIA SHALL SUBMIT SUCH CRITERIA TO THE DEPARTMENT TO BE PUBLISHED ON A BEST PRACTICES SECTION OF THE OFFICIAL WEBSITE OF THE DEPARTMENT.

2. ANY EXEMPLARY DISTRICT ESTABLISHING LOCAL CRITERIA FOR EVALUATION OF STUDENTS AND STAFF SHALL BE REQUIRED TO WORK WITH OTHER DISTRICTS WITHIN THEIR GEOGRAPHIC AREA AND NEEDS PROFILE, AS DETERMINED PURSUANT TO SUBDIVISION TWO OF SECTION ONE HUNDRED FIFTY-ONE OF THIS PART, OR THE DISTRICT OF THEIR CHOICE AS A MENTOR. THE EXEMPLARY DISTRICT SHALL PROVIDE THE RESOURCES NEEDED TO HELP EVALUATE THE DISTRICT BEING MENTORED AND SHALL PROVIDE GUIDANCE ON ANY BEST PRACTICES THAT MAY HELP THE STUDENTS.

3. AN EXEMPLARY DISTRICT MENTORING ANOTHER DISTRICT AND A DISTRICT BEING MENTORED BY AN EXEMPLARY DISTRICT SHALL EACH BE ELIGIBLE FOR CHALLENGE GRANTS TO HELP IMPLEMENT THE PROGRAM.

4. AN EXEMPLARY DISTRICT MENTORING ANOTHER DISTRICT AND A DISTRICT BEING MENTORED BY AN EXEMPLARY DISTRICT SHALL COLLABORATE AND PREPARE A REPORT TO BE SUBMITTED TO THE DEPARTMENT SUMMARIZING THE BEST PRACTICES OF THE EXEMPLARY DISTRICT AND RECOMMENDING PROCESSES TO INSURE MORE SUCCESSFUL OUTCOMES.

S 153. MANDATE EXEMPTION. 1. THE COMMISSIONER SHALL ESTABLISH EXEMPTIONS FROM TESTING AND PAPERWORK REQUIREMENTS SET FORTH BY THE STATE FOR EXEMPLARY DISTRICTS FOR EACH THREE YEAR PERIOD THAT SUCH SCHOOL IS DETERMINED TO BE AN EXEMPLARY DISTRICT AS AN INCENTIVE FOR EXEMPLARY DISTRICTS TO PARTICIPATE IN THE EXEMPLARY DISTRICT MENTORSHIP PROGRAM.

2. THE COMMISSIONER SHALL CONSIDER THE FOLLOWING CRITERIA WHEN DETERMINING WHICH EXEMPTIONS AN EXEMPLARY DISTRICT SHALL BE ELIGIBLE FOR:

(A) SIXTY PERCENT OF THE DETERMINATION SHALL BE BASED ON THE GRADUATION RATE, DROP-OUT RATE AND COLLEGE ACCEPTANCE RATE OF THE DISTRICT BEING MENTORED AS COMPARED TO OTHER DISTRICTS WITHIN THE SAME NEEDS PROFILE GROUPING.

(B) FORTY PERCENT OF THE DETERMINATION SHALL BE BASED ON CONSIDERATION OF WHETHER THE SCHOOL BOARD IS AFFILIATED WITH THE NEW YORK STATE SCHOOL BOARDS ASSOCIATION OR A LOCAL AFFILIATE, WHETHER THE SCHOOL SUPERINTENDENT IS AFFILIATED WITH THE NEW YORK STATE COUNCIL OF SCHOOL SUPERINTENDENTS, AND THE NUMBER AND VARIETY OF EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES OFFERED BY THE DISTRICT.

S 2. This act shall take effect immediately.