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

3719

2013-2014 Regular Sessions

I N S E N A T E

February 12, 2013

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

AN ACT to amend the education law, in relation to directing the commissioner of education to establish performance standards for school districts for exemption from requirements mandated by the state

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 319 to read as follows:

S 319. SCHOOL DISTRICT EXEMPTION FROM CERTAIN REQUIREMENTS; PERFORMANCE STANDARDS. THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO ESTABLISH A PROGRAM TO EXEMPT SCHOOL DISTRICTS THAT MEET SPECIFIC PERFORMANCE STANDARDS FROM CERTAIN REQUIREMENTS MANDATED BY THE STATE AND IMPOSED ON SCHOOL DISTRICTS PURSUANT TO CHAPTER FIFTY-SEVEN OF THE LAWS OF TWO THOUSAND ELEVEN. THE COMMISSIONER SHALL:

1. ESTABLISH WHAT CATEGORIES WITHIN THE EDUCATIONAL SYSTEM SHALL BE USED FOR EVALUATING SCHOOL DISTRICT PERFORMANCE. SUCH CATEGORIES SHALL INCLUDE, BUT NOT BE LIMITED TO, TEST SCORES, STUDENT ATTENDANCE AND GRADUATION RATES;

2. ESTABLISH STANDARDS, CRITERIA AND LEVELS OF PERFORMANCE AND ACHIEVEMENT THAT A SCHOOL DISTRICT MUST MEET IN EACH SUCH CATEGORY IN ORDER TO BE ELIGIBLE FOR EXEMPTION FROM SUCH REQUIREMENTS;

3. NOTIFY EACH SCHOOL DISTRICT OF THE CATEGORIES ESTABLISHED PURSUANT TO SUBDIVISION ONE OF THIS SECTION AND THE STANDARDS, CRITERIA AND LEVELS ESTABLISHED PURSUANT TO SUBDIVISION TWO OF THIS SECTION. SUCH NOTIFICATION SHALL BE MADE ANNUALLY AND IN A MANNER AND AT A TIME TO ALLOW SCHOOL DISTRICTS SUFFICIENT TIME FOR REVIEW PRIOR TO THE COMMENCEMENT OF THE SCHOOL YEAR;

4. DETERMINE FROM WHICH REQUIREMENTS A SCHOOL DISTRICT MEETING SUCH STANDARDS, CRITERIA AND LEVELS SHALL BE EXEMPT;

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

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5. DETERMINE IF DIFFERENT SETS OF SUCH STANDARDS, CRITERIA AND LEVELS SHOULD BE USED FOR SCHOOL DISTRICTS DUE TO DIFFERENCES IN THE SIZE AND DEMOGRAPHICS OF SCHOOL DISTRICTS ACROSS THE STATE;

6. ESTABLISH AN APPLICATION PROCEDURE WHEREBY A SCHOOL DISTRICT MAY DEMONSTRATE THAT IT HAS MET SUCH STANDARDS, CRITERIA AND LEVELS AND APPLY FOR EXEMPTION FROM SUCH REQUIREMENTS;

7. GRANT EXEMPTION FROM SUCH REQUIREMENTS TO SCHOOL DISTRICTS FOR WHICH AN APPLICATION FOR EXEMPTION IS APPROVED;

8. DETERMINE THE LENGTH OF TIME THAT A SCHOOL DISTRICT THAT HAS BEEN GRANTED AN EXEMPTION FROM SUCH REQUIREMENTS SHALL REMAIN EXEMPT; AND

9. PROMULGATE RULES AND REGULATIONS CONSISTENT WITH AND NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. This act shall take effect immediately and shall apply to school years beginning on or after July 1, 2014.