

3719

2013-2014 Regular Sessions

I N   S E N A T E

February 12, 2013

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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 commis-  
sioner 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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The education law is amended by adding a new section 319 to  
2     read as follows:

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

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

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

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

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

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

LBD08762-01-3

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

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

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

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

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

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