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

6307

I N S E N A T E

January 10, 2014

Introduced by Sen. BALL -- 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 the English/language arts and mathematics assessments, access to common core curriculum examinations, annual professional performance reviews of classroom teachers and building principals, and use of common core standards examinations in student placements; to establish a task force on professional performance review of teachers and principals; to repeal certain provisions of such law relating to the state assessment component of annual professional performance reviews of classroom teachers and building principals; and providing for the repeal of certain provisions upon expiration thereof

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 two new sections 208-b and 208-c to read as follows:

S 208-B. ENGLISH/LANGUAGE ARTS AND MATHEMATICS ASSESSMENTS. 1. THE DEPARTMENT SHALL DEVELOP AND PROVIDE FOR THE ADMINISTRATION OF ENGLISH/LANGUAGE ARTS AND MATHEMATIC ASSESSMENTS THAT ARE TO BE COMPLETED IN THE FOLLOWING PERIODS OF TIME FOR EACH OF THE FOLLOWING GRADES:

| | |
|---|---|
| (A) THIRD GRADE | ONE HUNDRED SIXTY MINUTES; |
| (B) FOURTH GRADE | THREE HUNDRED MINUTES; |
| (C) FIFTH GRADE | ONE HUNDRED SEVENTY MINUTES; |
| (D) SIXTH GRADE | TWO HUNDRED SIXTY-FIVE MINUTES; |
| (E) SEVENTH GRADE | TWO HUNDRED MINUTES; AND |
| (F) EIGHTH GRADE | THREE HUNDRED TWENTY MINUTES. |

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

2. THE RESULTS OF EACH PUPIL'S ENGLISH/LANGUAGE ARTS AND MATHEMATICS ASSESSMENT SHALL BE MAINTAINED BY THE DEPARTMENT AS CONFIDENTIAL INFORMATION AND SHALL NOT BE DISCLOSED.

3. THE DEPARTMENT SHALL, IN THE ESTABLISHMENT OF PROFICIENCY LEVELS FOR THE ENGLISH/LANGUAGE ARTS AND MATHEMATICS ASSESSMENTS, UTILIZE THE VALUES IDENTIFIED AS COLLEGE READY INDICATORS BY THE COLLEGE BOARD IN TWO THOUSAND ELEVEN, SO THAT (A) THE PROFICIENCY SCORE FOR THE ENGLISH/LANGUAGE ARTS ASSESSMENT SHALL NOT EXCEED A SCORE OF FIVE HUNDRED IN THE READING PORTION OF THE SCHOLASTIC APTITUDE TEST; AND (B) THE PROFICIENCY SCORE FOR THE MATHEMATICS ASSESSMENT SHALL NOT EXCEED A SCORE OF FIVE HUNDRED IN THE MATHEMATICS PORTION OF THE SCHOLASTIC APTITUDE TEST.

S 208-C. RESULTS OF COMMON CORE CURRICULUM EXAMINATIONS. 1. THE DEPARTMENT SHALL PROVIDE TO THE TEACHER, WHO HAS ADMINISTERED AN EXAMINATION, ESTABLISHED BY THE DEPARTMENT, TO ASSESS ACHIEVEMENT OF THE COMMON CORE CURRICULUM STANDARDS, A REPORT OF THE RESULTS OF SUCH EXAMINATION ADMINISTERED TO THE PUPILS BASED UPON SUCH PUPILS' GRADE LEVEL, A COPY OF EACH GRADED EXAMINATION AND THE RESULTS ON SUCH EXAMINATION OF PUPILS STATEWIDE IN SUCH GRADE.

2. THE DEPARTMENT SHALL PROVIDE TO THE PERSON IN PARENTAL RELATION TO EACH PUPIL WHO WAS ADMINISTERED AN EXAMINATION TO ASSESS ACHIEVEMENT OF THE COMMON CORE CURRICULUM STANDARDS, A REPORT OF SUCH PUPILS RESULTS ON SUCH EXAMINATION AND A COPY OF EACH GRADED EXAMINATION.

3. THE DEPARTMENT SHALL PUBLISH AND MAKE AVAILABLE TO THE PUBLIC A COPY OF EACH EXAMINATION TO ASSESS ACHIEVEMENT OF THE COMMON CORE CURRICULUM STANDARDS WITHIN SIXTY DAYS OF THE ADMINISTRATION OF SUCH EXAM.

S 2. Subparagraph 1 of paragraph a of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, is amended to read as follows:

(1) The annual professional performance reviews conducted pursuant to this section for classroom teachers and building principals shall differentiate teacher and principal effectiveness using the following quality rating categories: highly effective, effective, developing and ineffective[, with explicit minimum and maximum scoring ranges for each category, for the state assessments and other comparable measures subcomponent of the evaluation and for the locally selected measures of student achievement subcomponent of the evaluation, as prescribed in the regulations of the commissioner]. There shall be: (i) [a state assessments and other comparable measures subcomponent which shall comprise twenty or twenty-five percent of the evaluation; (ii)] a locally selected measures of student achievement subcomponent which shall comprise [twenty or fifteen] FORTY percent of the evaluation; and [(iii)] (II) an other measures of teacher or principal effectiveness subcomponent which shall comprise the remaining sixty percent of the evaluation, which in sum shall constitute the composite teacher or principal effectiveness score. Such annual professional performance reviews shall result in a single composite teacher or principal effectiveness score, which incorporates multiple measures of effectiveness related to the criteria included in the regulations of the commissioner; PROVIDED, HOWEVER, THAT NO SUCH CRITERIA SHALL INCLUDE THE SCORES RECEIVED BY STUDENTS ON STATE ASSESSMENT AND REGENTS EXAMINATIONS.

S 3. Clauses (C) and (D) of subparagraph 2 of paragraph a of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, are amended to read as follows:

(C) Developing if they achieve a composite effectiveness score of [65-74] 56-74.

(D) Ineffective if they achieve a composite effectiveness score of [0-64] 0-55.

S 4. Subparagraph 8 of paragraph a of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, is amended to read as follows:

(8) [Except for the student growth measures on the state assessments or other comparable measures of student growth prescribed in paragraphs e, f and g of this subdivision, the] THE elements comprising the composite effectiveness score and the process by which points are assigned to subcomponents shall be locally developed, consistent with the standards prescribed in the regulations of the commissioner and the requirements of this section, through negotiations conducted, pursuant to the requirements of article fourteen of the civil service law. PROVIDED, HOWEVER, THAT THE STANDARDS PRESCRIBED BY THE COMMISSIONER SHALL NOT INCLUDE THE AWARDING OR DEDUCTION OF POINTS BASED UPON THE SCORES OF STUDENTS ON STATE ASSESSMENT AND REGENTS EXAMINATIONS.

S 5. Paragraph c of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, is amended to read as follows:

c. (1) Annual professional performance reviews conducted by school districts or boards of cooperative educational services for the two thousand twelve--two thousand thirteen school year and thereafter of all classroom teachers and all building principals shall be conducted pursuant to this subdivision [and shall use two thousand eleven--two thousand twelve school year student data as the baseline for the initial computation of the composite teacher or principal effectiveness score for such classroom teachers and principals]. For purposes of this section, an administrator in charge of an instructional program of a board of cooperative educational services shall be deemed to be a building principal.

(2) [Subject to paragraph k of this subdivision the entire annual professional performance review shall be completed and provided to the teacher or principal as soon as practicable but in no case later than September first of the school year next following the school year for which the classroom teacher or building principal's performance is being measured.] The teacher's and principal's score and rating on the locally selected measures subcomponent, if available, and on the other measures of teacher and principal effectiveness subcomponent for a teacher's or principal's annual professional performance review shall be computed and provided to the teacher or principal, in writing, by no later than the last day of the school year for which the teacher or principal is being measured. Nothing in this subdivision shall be construed to authorize a teacher or principal to trigger the appeal process prior to receipt of his or her composite effectiveness score and rating.

(3) Each such annual professional performance review shall be based on [the state assessments or other comparable measures subcomponent,] the locally selected measures of student achievement subcomponent and the other measures of teacher and principal effectiveness subcomponent, determined in accordance with the applicable provisions of this section [and the regulations of the commissioner], for the school year for which the teacher's or principal's performance is measured.

S 6. Subparagraphs 1, 2 and 3 of paragraph f of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, are amended to read as follows:

(1) For annual professional performance reviews conducted in accordance with paragraph c of this subdivision for the two thousand twelve--two thousand thirteen school year and thereafter for classroom teachers in subjects and grades for which the board of regents has not approved a value-added model and for building principals employed in schools or programs for which there is no approved principal value-added model, forty percent of the composite score of effectiveness [shall be based on student achievement measures as follows: (i) twenty percent of the evaluation shall be based upon student growth data on state assessments as prescribed by the commissioner or a comparable measure of student growth if such growth data is not available; and (ii) twenty percent] shall be based on [other] locally selected measures of student achievement that are determined to be rigorous and comparable across classrooms in accordance with [the] regulations [of the commissioner and as are] developed locally in a manner consistent with procedures negotiated pursuant to the requirements of article fourteen of the civil service law.

(2) One or more of the following types of locally selected measures of student achievement or growth may be used for the evaluation of classroom teachers:

(i) student achievement or growth on [state assessments, regents examinations and/or department approved alternative] examinations [as described in the regulations of the commissioner including, but not limited to], advanced placement examinations, international baccalaureate examinations, and SAT II, [using a measure that is different from the growth score prescribed by the department for student growth on such assessments or examinations for purposes of the state assessment or other comparable measures subcomponent] that is [either] BASED UPON:

(A) the change in percentage of a teacher's students who achieve a specific level of performance as determined locally, on such [assessments/]examinations compared to those students' level of performance on such [assessments/]examinations in the previous school year [such as a three percentage point increase in students earning the proficient level (three) or better performance level on the seventh grade math state assessment compared to those same students' performance levels on the sixth grade math state assessment, or an increase in the percentage of a teacher's students earning the advanced performance level (four) on the fourth grade English language arts or math state assessments compared to those students' performance levels on the third grade English language arts or math state assessments]; or

(B) a teacher specific growth score [computed by the department] based on the percent of the teacher's students earning a [department] LOCALLY determined level of growth[. The methodology to translate such growth into the state-established subcomponent scoring ranges shall be determined locally]; or

(C) a teacher-specific achievement or growth score computed in a manner determined locally based on a measure of student performance on [the state assessments, regents examinations and/or department approved alternative] examinations other than the measure described in item (A) or (B) of this [subparagraph] CLAUSE;

(ii) student growth or achievement computed in a manner determined locally based on a LOCAL student assessment [approved by the department pursuant to a request for qualification process established in the regulations of the commissioner];

(iii) student growth or achievement computed in a manner determined locally based on a district, regional or BOCES-developed assessment that is rigorous and comparable across classrooms;

(iv) a school-wide measure of either student growth or achievement based on [either:

(A) a state-provided student growth score covering all students in the school that took the state assessment in English language arts or mathematics in grades four through eight;

(B)] a school-wide measure of student growth or achievement computed in a manner determined locally based on a district, regional or board of cooperative educational services developed assessment that is rigorous and comparable across classrooms [or a department approved student assessment or based on a state assessment]; or

(v) where applicable, for teachers in any grade or subject where there is no growth or value-added growth model approved by the board of regents at that grade level or in that subject, a structured district-wide student growth goal-setting process to be used with any [state assessment or an approved student assessment or a] district, regional or BOCES-developed assessment that is rigorous and comparable across classrooms.

(3) One or more of the following types of locally selected measures of student achievement or growth may be used for the evaluation of principals, provided that each measure is rigorous and comparable across classrooms [and that any such measure shall be different from that used for the state assessment or other comparable measures subcomponent]:

(i) [student achievement levels on state assessments in English language arts and/or mathematics in grades four to eight such as percentage of students in the school whose performance levels on state assessments are proficient or advanced, as defined in the regulations of the commissioner;

(ii) student growth or achievement on state or other assessments in English language arts and/or mathematics in grades four to eight for students in each of the performance levels described in the regulations of the commissioner;

(iii) student growth or achievement on state assessments in English language arts and/or mathematics in grades four to eight for students with disabilities and English language learners in grades four to eight;

(iv)] student performance on any or all of the district-wide locally selected measures approved for use in teacher evaluations;

[(v)] (II) for principals employed in a school with high school grades, four, five and/or six-year high school graduation and/or dropout rates;

[(vi)] (III) percentage of students who earn a regents diploma with advanced designation and/or honors [as defined in the regulations of the commissioner], for principals employed in a school with high school grades;

[(vii)] (IV) percentage of a cohort of students that achieve specified scores on [regents examinations and/or department approved alternative examinations including, but not limited to,] advanced placement examinations, international baccalaureate examinations and SAT II, for principals employed in a school with high school grades such as the percentage of students in the two thousand nine cohort that scored at least a three on an advanced placement examination since entry into the ninth grade; and/or

[(viii)] (V) students' progress toward graduation in the school using strong predictive indicators, including but not limited to ninth and/or

tenth grade credit accumulation and/or the percentage of students that pass ninth and/or tenth grade subjects most commonly associated with graduation [and/or students' progress in passing the number of required regents examinations for graduation], for principals employed in a school with high school grades.

[(ix)] (VI) For school districts or boards of cooperative educational services that choose to use more than one set of locally selected measures described in this paragraph for principals in the same or similar grade configuration or program such as one set of locally selected measures is used to evaluate principals in some K-5 schools and another set of locally selected measures is used to evaluate principals in the other K-5 schools in the district, the superintendent or district superintendent shall, in their professional performance review plan, certify that the sets of measures are comparable[, in accordance with the testing standards as defined in regulations of the commissioner].

[(x)] (VII) For building principals employed in schools or programs for which there is no approved principal value-added model, the types of locally selected measures of student achievement or growth specified in subparagraph three of paragraph g of this subdivision may be used. In addition, a structured district-wide student growth goal-setting process to be used with any state assessment or an approved student assessment or a district, regional of BOCES-developed assessment that is rigorous and comparable across classrooms may be a locally selected measure.

S 7. Subparagraphs 1, 2 and 3 of paragraph g of subdivision 2 of section 3012-c of the education law, as amended by chapter 21 of the laws of 2012, are amended to read as follows:

(1) For annual professional performance reviews conducted in accordance with paragraph c of this subdivision for the two thousand twelve--two thousand thirteen school year and thereafter for classroom teachers in subjects and grades in which there is a value-added growth model approved by the board of regents and for building principals employed in schools or programs for which there is an approved principal value-added model, forty percent of the composite score of effectiveness [shall be based on student achievement measures as follows: (i) twenty-five percent of the evaluation shall be based upon student growth data on state assessments as prescribed by the commissioner or a comparable measure of student growth if such growth data is not available; and (ii) fifteen percent] shall be based on [other] locally selected measures of student achievement that are determined to be rigorous and comparable across classrooms in accordance with [the] regulations [of the commissioner and as are locally] developed in a manner consistent with procedures negotiated pursuant to the requirements of article fourteen of the civil service law. The department shall develop the value-added growth model and shall consult with the advisory committee established pursuant to subdivision seven of this section prior to recommending that the board of regents approve its use in evaluations.

(2) One or more of the following types of locally selected measures of student achievement or growth may be used for the evaluation of classroom teachers:

(i) student achievement or growth on [state assessments, regents examinations and/or department approved alternative] examinations [as described in the regulations of the commissioner including, but not limited to], advanced placement examinations, international baccalaureate examinations and SAT II, [using a measure that is different from the growth score prescribed by the department for student growth on such

assessments or examinations for purposes of the state assessment or other comparable measures subcomponent] that is [either] BASED UPON:

(A) the change in percentage of a teacher's students who achieve a specific level of performance as determined locally, on such [assessments/]examinations compared to those students' level of performance on such [assessments/]examinations in the previous school year [such as a three percentage point increase in students earning the proficient level (three) or better performance level on the seventh grade math state assessment compared to those same students' performance levels on the sixth grade math state assessment, or an increase in the percentage of a teacher's students earning the advanced performance level (four) on the fourth grade English language arts or math state assessments compared to those students' performance levels on the third grade English language arts or math state assessments]; or

(B) a teacher specific growth score computed by the state based on the percent of the teacher's students earning a state determined level of growth[. The methodology to translate such growth into the state-established subcomponent scoring ranges shall be determined locally]; or

(C) a teacher-specific achievement or growth score computed in a manner determined locally based on a measure of student performance on [the state assessments, regents examinations and/or department approved alternative] examinations other than the measure described in item (A) or (B) of this [subparagraph] CLAUSE;

(ii) student growth or achievement computed in a manner determined locally based on a LOCAL student assessment [approved by the department pursuant to a request for qualification process established in the regulations of the commissioner];

(iii) student growth or achievement computed in a manner determined locally based on a district, regional or BOCES-developed assessment that is rigorous and comparable across classrooms;

(iv) a school-wide measure of either student growth or achievement based on [either:

(A) a state-provided student growth score covering all students in the school that took the state assessment in English language arts or mathematics in grades four through eight; or

(B)] a school-wide measure of student growth or achievement computed in a manner determined locally based on a district, regional or board of cooperative educational services developed assessment that is rigorous and comparable across classrooms [or a department approved student assessment or based on a state assessment].

(3) One or more of the following types of locally selected measures of student achievement or growth may be used for the evaluation of principals, provided that each measure is rigorous and comparable across classrooms [and that any such measure shall be different from that used for the state assessment or other comparable measures subcomponent]:

(i) [student achievement levels on state assessments in English language arts and/or mathematics in grades four to eight such as percentage of students in the school whose performance levels on state assessments are proficient or advanced, as defined in the regulations of the commissioner;

(ii) student growth or achievement on state or other assessments in English language arts and/or mathematics in grades four to eight for students in each of the performance levels described in the regulations of the commissioner;

(iii) student growth or achievement on state assessments in English language arts and/or mathematics in grades four to eight for students with disabilities and English language learners in grades four to eight; (iv)] student performance on any or all of the district-wide locally selected measures approved for use in teacher evaluations;

[(v)] (II) for principals employed in a school with high school grades, four, five and/or six-year high school graduation and/or dropout rates;

[(vi)] (III) percentage of students who earn a regents diploma with advanced designation and/or honors [as defined in the regulations of the commissioner], for principals employed in a school with high school grades;

[(vii)] (IV) percentage of a cohort of students that achieve specified scores on [regents examinations and/or department approved alternative examinations including, but not limited to,] advanced placement examinations, international baccalaureate examinations and SAT II, for principals employed in a school with high school grades such as the percentage of students in the two thousand nine cohort that scored at least a three on an advanced placement examination since entry into the ninth grade; and/or

[(viii)] (V) students' progress toward graduation in the school using strong predictive indicators, including but not limited to ninth and/or tenth grade credit accumulation and/or the percentage of students that pass ninth and/or tenth grade subjects most commonly associated with graduation [and/or students' progress in passing the number of required regents examinations for graduation], for principals employed in a school with high school grades.

[(ix)] (VI) For school districts or boards of cooperative educational services that choose to use more than one set of locally selected measures described in this paragraph for principals in the same or similar grade configuration or program, the superintendent or district superintendent shall, in their professional performance review plan, certify that the sets of measures are comparable, in accordance with the testing standards as defined in regulations of the commissioner.

S 8. Clause (i) of subparagraph 1 of paragraph j of subdivision 2 of section 3012-c of the education law is REPEALED.

S 9. Subparagraph 2 of paragraph j of subdivision 2 of section 3012-c of the education law, as added by chapter 21 of the laws of 2012, is amended to read as follows:

(2) Such process must ensure that it is possible for a teacher or principal to obtain each point in the applicable scoring ranges, including zero, for [the state assessment or other comparable measures subcomponent,] the locally selected measures of student achievement subcomponent and the overall rating categories. The process must also ensure that it is possible for a teacher or principal to obtain each point in the scoring ranges prescribed by the district or board of cooperative educational services for the other measures of teacher and principal effectiveness subcomponent.

S 10. Subdivision 10 of section 3012-c of the education law, as added by chapter 68 of the laws of 2012, is amended to read as follows:

10. Each school district and board of cooperative educational services shall fully disclose and release to the public and the department the final quality ratings [and composite effectiveness scores] from the annual professional performance reviews of its teachers and principals as provided in this subdivision.

a. The commissioner shall fully disclose professional performance review data for teachers and principals in each school district and board of cooperative educational services on the department website and in any other manner to make such data widely available to the public. Such data shall be suitable for research, analysis and comparison of professional performance review data for teachers and principals. Such public disclosure shall include but not be limited to the final quality ratings [and composite effectiveness scores] by school district for principal evaluation data, by school building for teacher evaluation data and, within each district and school building, by class, subject and grade; final quality ratings [and composite effectiveness scores] by region, district wealth, district need category, student enrollment, type of school (i.e. elementary, middle and high school), student need (e.g., poverty level), and district spending; final quality ratings [and composite effectiveness scores] by the percentage or number of teachers and principals in each final quality rating category, moving to a higher rating category than the previous year, moving to a lower rating category than the previous year, and retained in each rating category; and data on tenure granting and denial based on the final quality rating categories.

b. Each school district and board of cooperative educational services shall fully disclose and release to the parents and legal guardians of a student the final quality rating [and composite effectiveness score] for each of the teachers and for the principal of the school building to which the student is assigned for the current school year upon the request of such parents and legal guardians. The governing body of each school district and board of cooperative educational services shall provide conspicuous notice to parents and legal guardians of the right to obtain such information. Parents and legal guardians may review and receive such data in any manner, including by phone or in person[; shall receive an oral or written explanation of the composite effectiveness scoring ranges for final quality ratings; and be offered opportunities to understand such scores in the context of teacher evaluation and student performance]. Reasonable efforts shall be made to verify that any such request is a bona fide request by a parent or guardian entitled to review and receive such data pursuant to this paragraph.

c. The department and each school district and board of cooperative educational services shall ensure that any release to the public of annual professional performance review data, [or any other data that is used as a component of annual professional performance reviews,] does not include personally identifying information for any teacher or principal, provided, however, that nothing shall impair the right of parents and legal guardians to review and receive the final quality rating [and composite effectiveness score] of individual teachers and principals as provided in paragraph b of this subdivision. Annual professional performance reviews of individual teachers and principals shall not be subject to disclosure pursuant to article six of the public officers law.

d. Nothing in this subdivision shall prohibit the department from collecting such data and materials from school districts and boards of cooperative educational services as is necessary to carry out its functions and duties, including its responsibilities related to the federal Race to the Top program.

S 11. The education law is amended by adding a new section 3211-b to read as follows:

S 3311-B. USE OF COMMON CORE STANDARDS EXAMINATIONS IN STUDENT PLACEMENTS. NO SCHOOL, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES SHALL USE OR CONSIDER ANY STUDENT'S SCORE OR SCORES ON ANY COMMON CORE STANDARDS EXAMINATION OR ASSESSMENT TO DETERMINE THE PLACEMENT OR PROMOTION OF SUCH STUDENT INCLUDING, BUT NOT LIMITED TO, FOR PURPOSES OF ADMISSION TO OR CONTINUANCE IN ANY GIFTED OR ENRICHMENT PROGRAM, PLACEMENT IN ANY ACCELERATED PROGRAM, HONORS COURSE OR OTHER SELECTED COURSE OF STUDY, GRADE RETENTION, ADMISSION TO ANY PUBLIC SCHOOL WITH SELECTIVE ADMISSIONS, AND SPECIAL EDUCATION PROGRAM PLACEMENT. PROVIDED, HOWEVER, THAT SUCH PROHIBITION SHALL NOT APPLY TO THE PROVISION OF ACADEMIC INTERVENTION SERVICES, WHEN THE SCHOOL, SCHOOL DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES UTILIZES AT LEAST ONE ADDITIONAL INDICATOR TO DETERMINE THAT A STUDENT IS IN NEED OF SUCH SERVICES.

S 12. (a) A task force on the professional performance review of teachers and principals is hereby established to examine, evaluate and make recommendations concerning the effectiveness, implementation and utilization of annual professional performance reviews of classroom teachers and building principals pursuant to section 3012-c of the education law.

(b) The task force shall consist of 25 members to be appointed as follows: 5 shall be appointed by the governor; 5 shall be appointed by the temporary president of the senate; 5 shall be appointed by the speaker of the assembly; 5 shall be appointed by the minority leader of the senate; and 5 shall be appointed by the minority leader of the assembly. Every member shall be a teacher, principal or superintendent of a school district in the state, who is recommended to the appointing officer by an education professional organization. The appointees shall be broadly representative of teachers, principals and superintendents in the various school districts throughout the state. The task force shall by majority vote of its members designate a chair and vice chair. Vacancies in the membership of the task force shall be filled in the manner provided for original appointments.

(c) The task force shall hold public hearings and shall have all the powers of a legislative committee pursuant to the legislative law.

(d) The members of the task force shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this section.

(e) To the maximum extent feasible, the task force shall be entitled to request and receive, and shall utilize such facilities, resources and data of any department, division, board, bureau, commission or agency of the state or any political subdivision thereof as it may reasonably request to carry out its duties pursuant to this section.

(f) The task force shall submit a report to the governor and the legislature, on or before April 1, 2017, of its findings, conclusions and recommendations, and shall also submit with its report such legislative proposals as it deems necessary to implement its recommendations.

S 13. This act shall take effect July 1, 2014, provided that sections two through twelve of this act shall expire and be deemed repealed July 1, 2017.