

8247

2015-2016 Regular Sessions

I N A S S E M B L Y

June 15, 2015

Introduced by M. of A. TEDISCO, DiPIETRO, DUPREY, FRIEND, HAWLEY, McDO-
NOUGH, McLAUGHLIN, PALMESANO, RA, TENNEY, WALTER, WOZNIAK -- Multi-
Sponsored by -- M. of A. BUTLER, CERETTO, KEARNS, LUPINACCI, THIELE
-- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the weight assigned to
state-created or administered testing results for calculating the
student performance category of teacher assessments

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

1 Section 1. Paragraph a of subdivision 4 of section 3012-d of the
2 education law, as added by section 2 of subpart E of part EE of chapter
3 56 of the laws of 2015, is amended to read as follows:
4 a. Student performance category. Such category shall have [at least
5 one subcomponent and an optional second subcomponent] TWO SUBCOMPONENTS
6 as follows:
7 (1) For the first subcomponent, (A) for a teacher whose course ends in
8 a state-created or administered test for which there is a state-provided
9 growth model, such teacher shall have a state-provided growth score
10 based on such model; and (B) for a teacher whose course does not end in
11 a state-created or administered test such teacher shall have a student
12 learning objective (SLO) consistent with a goal-setting process deter-
13 mined or developed by the commissioner, that results in a student growth
14 score; provided that, for any teacher whose course ends in a state-
15 created or administered assessment for which there is no state-provided
16 growth model, such assessment must be used as the underlying assessment
17 for such SLO;
18 (2) For the [optional] second subcomponent, a district may locally
19 select a second measure in accordance with this subparagraph. Such
20 second measure shall apply in a consistent manner, to the extent practi-
21 cable, across the district and be [either: (A) a second state-provided
22 growth score on a state-created or administered test under clause (A) of

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

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1 subparagraph one of this paragraph, or (B)] a growth score based on a
2 state-designed supplemental assessment, calculated using a state-provid-
3 ed or approved growth model. The [optional] second subcomponent shall
4 provide options for multiple assessment measures that are aligned to
5 existing classroom and school best practices and take into consideration
6 the recommendations in the testing reduction report as required by
7 section one of subpart F of [the] PART EE OF chapter FIFTY-SIX of the
8 laws of two thousand fifteen [which added this section] regarding the
9 reduction of unnecessary additional testing.

10 The commissioner shall determine the weights and scoring ranges for
11 the subcomponent or subcomponents of the student performance category
12 that shall result in a combined category rating. NOTWITHSTANDING THE
13 PROVISIONS OF SECTION THREE THOUSAND TWELVE-C OF THIS ARTICLE OR ANY
14 OTHER PROVISION OF LAW TO THE CONTRARY, IN NO CASE SHALL THE SUBCOMPO-
15 NENT CALCULATED PURSUANT TO SUBPARAGRAPH ONE OF THIS PARAGRAPH BE
16 ASSIGNED A WEIGHT IN EXCESS OF FIVE PERCENT OF A TEACHER'S OVERALL
17 ASSESSMENT UNDER THIS SECTION. The commissioner shall also set parame-
18 ters for appropriate targets for student growth for both subcomponents,
19 and the department must affirmatively approve and shall have the author-
20 ity to disapprove or require modifications of district plans that do not
21 set appropriate growth targets, including after initial approval. The
22 commissioner shall set such weights and parameters consistent with the
23 terms contained herein.

24 S 2. This act shall take effect immediately.