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

5021

2015-2016 Regular Sessions

I N S E N A T E

April 29, 2015

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 the guidelines and regulations of the teacher and principal evaluation system

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

Section 1. Notwithstanding any provisions of section 3012-c of the education law to the contrary, the commissioner of the state education department is hereby authorized and directed, subject to the provisions of section 207 of the education law, to adopt regulations of the commissioner and guidelines no later than January 31, 2017, to implement a statewide annual teacher and principal evaluation system in New York state pursuant to section 3012-d of the education law after consulting with experts and practitioners in the fields of education, economics and psychometrics and taking into consideration the parameters set forth in the letter from the chancellor of the board of regents and acting commissioner dated December 31, 2014, to the New York state director of state operations. The commissioner shall also establish a process to accept public comments and recommendations regarding the adoption of regulations pursuant to section 3012-d of the education law and consult in writing with the secretary of the United States department of education on weights, measures and ranking of evaluation categories and subcomponents and shall release the response from the secretary upon receipt thereof but in any event prior to publication of the regulations hereunder.

S 2. Subdivision 11 of section 3012-d of the education law, as added by section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

11. Notwithstanding any inconsistent provision of law, no school district shall be eligible for an apportionment of general support for public schools from the funds appropriated for the [2015--2016]

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

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2017--2018 school year and any year thereafter in excess of the amount apportioned to such school district in the respective base year unless such school district has submitted documentation that has been approved by the commissioner by [November fifteenth, two thousand fifteen] JUNE FIFTEENTH, TWO THOUSAND SEVENTEEN, or by September first of each subsequent year, demonstrating that it has fully implemented the standards and procedures for conducting annual teacher and principal evaluations of teachers and principals in accordance with the requirements of this section and the regulations issued by the commissioner. Provided further that any apportionment withheld pursuant to this section shall not occur prior to April first of the current year and shall not have any effect on the base year calculation for use in the subsequent school year. For purposes of this section, "base year" shall mean the base year as defined in paragraph b of subdivision one of section thirty-six hundred two of this chapter, and "current year" shall mean the current year as defined in paragraph a of subdivision one of section thirty-six hundred two of this chapter.

S 3. This act shall take effect immediately.