

5921--A

2015-2016 Regular Sessions

I N S E N A T E

June 11, 2015

Introduced by Sen. LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 ASSEMBLY, 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, subparagraph 1 as amended by section 3 of
4 subpart C of part B of chapter 20 of the laws of 2015, is amended to
5 read as follows:
6 a. Student performance category. Such category shall have [at least
7 one subcomponent and an optional second subcomponent] TWO SUBCOMPONENTS
8 as follows:
9 (1) For the first subcomponent, (A) for a teacher whose course ends in
10 a state-created or administered test for which there is a state-provided
11 growth model, such teacher shall have a state-provided growth score
12 based on such model, which shall take into consideration certain student
13 characteristics, as determined by the commissioner, including but not
14 limited to students with disabilities, poverty, English language learner
15 status and prior academic history and which shall identify educators
16 whose students' growth is well above or well below average compared to
17 similar students for a teacher's or principal's students after the
18 certain student characteristics above are taken into account; and (B)
19 for a teacher whose course does not end in a state-created or adminis-
20 tered test such teacher shall have a student learning objective (SLO)
21 consistent with a goal-setting process determined or developed by the

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

LBD11361-02-6

1 commissioner, that results in a student growth score; provided that, for
2 any teacher whose course ends in a state-created or administered assess-
3 ment for which there is no state-provided growth model, such assessment
4 must be used as the underlying assessment for such SLO;

5 (2) For the [optional] second subcomponent, a district may locally
6 select a second measure in accordance with this subparagraph. Such
7 second measure shall apply in a consistent manner, to the extent practi-
8 cable, across the district and be [either: (A) a second state-provided
9 growth score on a state-created or administered test under clause (A) of
10 subparagraph one of this paragraph, or (B)] a growth score based on a
11 state-designed supplemental assessment, calculated using a state-provid-
12 ed or approved growth model. The [optional] second subcomponent shall
13 provide options for multiple assessment measures that are aligned to
14 existing classroom and school best practices and take into consideration
15 the recommendations in the testing reduction report as required by
16 section one of subpart F of [the] PART EE OF chapter FIFTY-SIX of the
17 laws of two thousand fifteen [which added this section] regarding the
18 reduction of unnecessary additional testing.

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

33 S 2. This act shall take effect immediately.