STATE OF NEW YORK

9620

IN ASSEMBLY

January 26, 2018

Introduced by M. of A. SKARTADOS -- read once and referred to the Committee on Education

AN ACT to amend part B of chapter 56 of the laws of 2014, relating to creating the smart schools bond act of 2014, in relation to authorizing funding for recorded lessons and online access to recorded lessons; authorizing the state department of education to establish a pilot program to provide school districts with the technology required to digitally record daily classroom lessons and to make recorded lessons available to students and their parents through an online portal; and to ensure that there is a certified online tutorial module for each Common Core lesson

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 4 of part B of chapter 56 of the laws of 2014, relating to creating the smart schools bond act of 2014, is amended to read as follows:

§ 4. Use of moneys received. The moneys received by the state from the sale of bonds sold pursuant to this act shall be expended pursuant to appropriations for capital projects related to design, planning, site acquisition, demolition, construction, reconstruction, rehabilitation, or acquisition and/or installation of equipment for the following types of projects: capital projects related to educational technology equipment or facilities including but not limited to interactive whiteboards; **recorded classroom lessons made available through an online portal;** computer servers; desktop and laptop computers, and tablets; high-speed broadband or wireless internet connectivity for schools and communities; capital projects to construct, enhance or modernize educational facilities to accommodate pre-kindergarten programs and provide instructional space to replace transportable classroom units; and capital projects to install high-tech security features in school buildings and on school campuses.

§ 2. (a) The New York state department of education is hereby authorized and directed to establish a two year pilot program for the purpose of evaluating the impact on student performance of technology to record

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

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classroom lessons and making such lessons available to students through a secure online portal immediately after the lesson, and the feasibility of implementing such technology on a statewide basis.

(b) The New York state department of education shall determine an appropriate number of school districts to participate in the pilot program. The number of school districts selected to participate in the pilot program, and the selected schools within each district, shall be based on a representative sample of the state's diverse conditions with respect to the density, income, academic accomplishments and other conditions that such department determines to set districts apart from each other. All grades, from first grade through twelfth grade, shall be included in the sampling size. A school district may request to participate in the pilot program; however, the final determination of which districts and schools will participate in the program shall be made by such department based on the pilot program requirements. Pilot program requirements may require such department to assign a school district, or schools within a district, to participate in this program, however, such an assignment shall not be made until a majority of the school board approves the assignment by resolution. The size and scope of the pilot program shall be limited to available funds in the smart schools bond fund established by section 97-oooo of the state finance law, to account for two full school years, at no cost to any participating local school district.

(c) The New York state department of education shall provide training in the use of the technology to the administration and teachers in participating school districts, including, but not limited to, teaching techniques that create quality video outcomes, best practices to handle unintended consequences such as overcoming camera shyness and techniques to handle situations that may arise from the exposure of classroom sessions to parents, administrators and unauthorized public viewing.

(d) All school classrooms within the districts that are selected shall record all daily lessons. Recordings may be temporarily stopped at the teacher's discretion when time is not directed towards lessons or in the event of a classroom disturbance. All district recorded lessons shall be made available to every student attending the school district, and their parents, through a secure online login procedure. Recordings of lessons shall be the property of the school district and the reproduction or misuse of the content without the written consent of the teacher is prohibited and may be punishable as a crime. Participating school districts are prohibited from using the content of the recorded lessons as part of a teacher evaluation, without the written consent of the teacher conducting the lesson. Each camera will be placed in the classroom to provide a front view of the teacher, and instructional aids used during the lesson.

§ 3. (a) By December first of the year that the pilot program is implemented, the New York state department of education shall provide to the legislature a report containing the following information: (i) evaluations of student use, satisfaction and test results; (ii) teacher comments and satisfaction with the program; (iii) such department's evaluation of the program and conclusions with respect to full implementation statewide; and (iv) if such department decides to implement the technology program on a statewide basis, a description of such department's plan to create such a program and to account for the cost for the initial implementation and yearly sustainability.

(b) If the New York state department of education decides to implement the technology program on a statewide basis, it shall do so provided

funds are available in the smart schools bond fund established by section 97-oooo of the state finance law. If funds are not available for a full statewide implementation, such department shall, at its discretion, create a plan to use available funds from the smart schools bond fund to implement the plan to the extent that it is possible. In this event, such department shall submit a request to the legislature for additional funding to enable statewide implementation of the program, and to ensure continuous funding for schools that participated in the pilot program. Such request for more funds shall be made to the legislature in a timely manner so as to be included in the budget for the following year. Costs associated with yearly sustainability shall be accounted for by such department, and shall not be passed on to any local school district.

§ 4. The New York state department of education shall certify a library of online tutorials for each lesson included in the Common Core curriculum for first grade through twelfth grade as given in New York state. When necessary, the state shall contract with a vendor to create content to satisfy this requirement. This library shall be made available to the general public, online, at no cost.

§ 5. Notwithstanding any law, rule or regulation to the contrary, funds and materials provided to local school districts for this act shall not be included as income in tax cap formulas for the purposes of apportionment.

§ 6. This act shall take effect immediately.