STATE OF NEW YORK

891

2017-2018 Regular Sessions

IN ASSEMBLY

January 9, 2017

Introduced by M. of A. GUNTHER, JAFFEE, ARROYO, RAIA, MONTESANO, CROUCH -- Multi-Sponsored by -- M. of A. COOK, THIELE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to a moratorium on the issuance of standardized tests to certain students; and to establish a task force to develop a system allowing students with individualized education programs to be evaluated

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

Section 1. Section 348 of the education law is renumbered section 349 and a new section 348 is added to read as follows:

§ 348. Moratorium on standardized testing of certain students. The department shall ensure that any test established and/or administered pursuant to this article shall not be given to any student for whom an individualized education program has been created.

§ 2. 1. The department of education shall establish a task force to develop a system to evaluate students with individualized education programs and their respective teachers with regard to the teacher's annual professional performance review.

2. The task force shall consist of thirteen members, one nominated by each member of the board of regents, except at-large members. Each nominee shall be a teacher who is certified in special education and shall reside in the district represented by the member of the board of regents who nominated him or her.

3. All nominations shall be confirmed by a majority vote of the entire board of regents.

4. The task force shall submit its recommendation of an evaluation system to the governor, the temporary president of the senate, and the speaker of the assembly, within 12 months of the effective date of this section.

§ 3. This act shall take effect immediately.

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

LBD03777-01-7