

# STATE OF NEW YORK

4031--A

2019-2020 Regular Sessions

## IN SENATE

February 25, 2019

Introduced by Sens. JACKSON, BIAGGI, KENNEDY, MAY, MYRIE, SALAZAR --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Finance -- committee discharged, bill amended,  
ordered reprinted as amended and recommitted to said committee

AN ACT to establish a commission for the educational advancement of  
multilingual learners in New York; and providing for the repeal of  
such provisions upon expiration thereof

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

1 Section 1. Commission established. (a) A commission, to be known as  
2 the commission for the educational advancement of multilingual learners,  
3 hereafter referred to as the commission, is hereby created to study and  
4 prepare a report on the best practices and legislative recommendations  
5 to close the achievement gap and high school graduation rates between  
6 multilingual learners and their English proficient peers from prekinde-  
7 rgarten through twelfth grade. The report will advise the legislature,  
8 governor, board of regents, and New York state education officials on  
9 the best practices, provide policy and legislative recommendations to  
10 close the achievement gap; and the feasibility and cost to implement  
11 such practices in schools.

12 (b) The commission shall be composed of eleven members, appointed as  
13 follows: (i) two members shall be appointed by the governor; (ii) two  
14 members shall be appointed by the speaker of the assembly; (iii) two  
15 members shall be appointed by the temporary president of the senate;  
16 (iv) one member shall be appointed by the minority leader of the assem-  
17 bly; (v) one member shall be appointed by the minority leader of the  
18 senate; (vi) two members shall be appointed by the chancellor of the  
19 board of regents; and (vii) one member shall be the commissioner of the  
20 New York state education department or appointed thereof who shall serve  
21 as chairperson of the commission. Vacancies in the membership of the

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

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1 commission shall be filled in the manner provided for original appoint-  
2 ments.

3 (c) The commission shall be made up of at least: (i) one education  
4 professional who specializes in English to Speakers of Other Languages  
5 and Bilingual Programs; (ii) one teacher who has experience working with  
6 multilingual students; (iii) one education professional who has experi-  
7 ence working with early childhood multilingual learners; (iv) one educa-  
8 tion professional who has experience with multilingual newcomers and  
9 high school graduation; and (v) one education professional who has  
10 expertise in education equity of New York state students.

11 (d) The members of the commission shall receive no compensation for  
12 their services, but shall be allowed their actual and necessary expenses  
13 incurred in the performance of their duties hereunder.

14 § 2. Appointments to commission. The governor, the speaker of the  
15 assembly, the temporary president of the senate, the minority leader of  
16 the assembly, the minority leader of the senate, the chancellor of the  
17 board of regents, and the commissioner of education shall submit their  
18 appointments no later than 120 days after this act becomes a law.

19 § 3. Commission staff and agency liaison. The commissioner of educa-  
20 tion shall designate such employees of the department of education as  
21 are reasonably necessary to provide support services to the commission.  
22 The commissioner of education shall appoint one or more representatives  
23 of the department of education to serve as liaison between such depart-  
24 ment and the commission.

25 § 4. Accomplishment of purpose. The commission shall be authorized and  
26 empowered to undertake any studies, surveys or analyses it may deem  
27 relevant. The commission shall meet and hold at least five public hear-  
28 ings, pursuant to subdivision (a) of section one of this act, one in  
29 each of the following regions of the state: Long Island, the city of New  
30 York, the city of Buffalo, the city of Syracuse and the city of Yonkers.

31 § 5. Report on best practices and legislative recommendations. The  
32 commission shall make a report of its findings, including any recommen-  
33 dations for legislative action as it may deem necessary and appropriate,  
34 to the governor, the temporary president of the senate, the speaker of  
35 the assembly, the chairperson of the senate committee on education, the  
36 chairperson of the senate committee on New York City education, the  
37 chairperson of the assembly committee on education, the board of  
38 regents, and the commissioner of education no later than one year after  
39 the effective date of this act.

40 § 6. This act shall take effect April 1, 2020 and shall expire and be  
41 deemed repealed two years after such date, provided, however, that if  
42 upon such date an appropriation to the education department for the  
43 purposes of implementing section one of this act shall not have been  
44 made, this act shall take effect on the forty-fifth day after such  
45 appropriation is made and shall expire and be deemed repealed two years  
46 after such date, provided further that the director of the budget shall  
47 notify the legislative bill drafting commission upon the occurrence of  
48 such appropriation in order that the commission may maintain an accurate  
49 and timely effective data base of the official text of the laws of the  
50 state of New York in furtherance of effectuating the provisions of  
51 section 44 of the legislative law and section 70-b of the public offi-  
52 cers law.