# STATE OF NEW YORK

4031--B

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 -- 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 Assembly, do enact as follows:**

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

(b) The commission shall be composed of eleven members, appointed as follows: (i) two members shall be appointed by the governor; (ii) two members shall be appointed by the speaker of the assembly; (iii) two members shall be appointed by the temporary president of the senate; (iv) one member shall be appointed by the minority leader of the assembly; (v) one member shall be appointed by the minority leader of the senate; (vi) two members shall be appointed by the chancellor of the board of regents; and (vii) one member shall be the commissioner of the New York state education department or appointed thereof who shall serve

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

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as chairperson of the commission. Vacancies in the membership of the commission shall be filled within 30 days in the manner provided for original appointments.

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

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

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

§ 3. Commission staff and agency liaison. The commissioner of education shall designate such employees of the department of education as are reasonably necessary to provide support services to the commission. The commissioner of education shall appoint one or more representatives of the department of education to serve as liaison between such department and the commission.

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

§ 5. Report on best practices and legislative recommendations. The commission shall make a report of its findings, including any recommendations for legislative action as it may deem necessary and appropriate, to the governor, the temporary president of the senate, the speaker of the assembly, the chairperson of the senate committee on education, the chairperson of the senate committee on New York City education, the chairperson of the assembly committee on education, the board of regents, and the commissioner of education no later than one year after all appointments to the commission have been made.

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