

STATE OF NEW YORK

5576

2021-2022 Regular Sessions

IN SENATE

March 11, 2021

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to the granting of tenure

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

1 Section 1. Section 3012 of the education law is amended by adding a
2 new subdivision 4 to read as follows:

3 4. Notwithstanding any other provision of this section, at the expira-
4 tion of the probationary term of a teacher, principal or other supervis-
5 ing staff described herein who were appointed during the two thousand
6 seventeen--two thousand eighteen, two thousand eighteen--two thousand
7 nineteen and two thousand nineteen--two thousand twenty school years,
8 such individual shall be eligible for tenure if he or she received
9 composite annual professional performance review ratings pursuant to
10 section three thousand twelve-c or section three thousand twelve-d of
11 this article, of either effective or highly effective in at least one of
12 the four preceding years and did not receive an ineffective rating in
13 the final year of his or her probationary period, or during the most
14 recent school year where a rating was received. Any probationary teach-
15 er, principal or other supervising staff hired during the two thousand
16 twenty--two thousand twenty-one school year who was appointed on tenure
17 in another school district, board of cooperative educational services or
18 state school for the blind or deaf and who was not dismissed from such
19 district, board or state school for the blind or deaf as a result of
20 charges brought pursuant to subdivision one of section three thousand
21 twenty-a or section three thousand twenty-b of this article, such teach-
22 er, principal or other supervising staff shall be appointed for a proba-
23 tionary period of three years; provided that, in the case of a classroom
24 teacher, principal or other supervising staff such individual demon-
25 strates that he or she received an annual professional performance
26 review rating pursuant to section three thousand twelve-c or section

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

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three thousand twelve-d of this article in the two thousand seventeen--two thousand eighteen or two thousand eighteen--two thousand nineteen school year. Any probationary teachers, principals or other supervising staff described herein who were appointed during the two thousand twenty--two thousand twenty-one school year shall be eligible for tenure at the expiration of his or her probationary period if he or she received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this article of either effective or highly effective in at least two of the four preceding years and did not receive an ineffective rating in the final year of his or her probationary period, or during the most recent school year where a rating was received.

§ 2. Section 3012-d of the education law is amended by adding a new subdivision 17 to read as follows:

17. Notwithstanding any other provision of this section, for the two thousand twenty--two thousand twenty-one school year, no school district shall complete an annual professional performance review required by this section for any classroom teacher or building principal and state funding shall not be withheld from any school district for not completing the annual professional performance review.

§ 3. Section 3014 of the education law is amended by adding a new subdivision 3 to read as follows:

3. Notwithstanding any other provision of this section, at the expiration of the probationary term of a teacher, principal or other supervising staff described herein who were appointed during the two thousand seventeen--two thousand eighteen, two thousand eighteen--two thousand nineteen and two thousand nineteen--two thousand twenty school years, such individual shall be eligible for tenure if he or she received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this article of either effective or highly effective in at least one of the four preceding years and did not receive an ineffective rating in the final year of his or her probationary period or during the most recent school year where a rating was received. Any probationary teacher, principal or other supervising staff hired during the two thousand twenty--two thousand twenty-one school year who was appointed on tenure in another school district, board of cooperative educational services or state school for the blind or deaf and who was not dismissed from such district, board or state school for the blind or deaf as a result of charges brought pursuant to subdivision one of section three thousand twenty-a or section three thousand twenty-b of this article, such teacher, principal or other supervising staff shall be appointed for a probationary period of three years; provided that, in the case of a classroom teacher, principal or other supervising staff such individual demonstrates that he or she received an annual professional performance review rating pursuant to section three thousand twelve-c or section three thousand twelve-d of this article in the two thousand seventeen--two thousand eighteen or two thousand eighteen--two thousand nineteen school year. Any probationary teachers, principals or other supervising staff described herein who were appointed during the two thousand twenty--two thousand twenty-one school year shall be eligible for tenure at the expiration of his or her probationary period if he or she received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this article of either effective or highly effective in at least two of the four preceding years and did not receive an ineffective rating in

1 the final year of his or her probationary period, or during the most
2 recent school year where a rating was received.

3 § 4. Section 2509 of the education law is amended by adding a new
4 subdivision 2-a to read as follows:

5 2-a. Notwithstanding any other provision of this section, at the expi-
6 ration of the probationary term of a teacher, principal or other super-
7 vising staff described herein who were appointed during the two thousand
8 seventeen--two thousand eighteen, two thousand eighteen--two thousand
9 nineteen and two thousand nineteen--two thousand twenty school years,
10 such individual shall be eligible for tenure if he or she received
11 composite annual professional performance review ratings pursuant to
12 section three thousand twelve-c or section three thousand twelve-d of
13 this chapter of either effective or highly effective in at least one of
14 the four preceding years and did not receive an ineffective rating in
15 the final year of his or her probationary period or during the most
16 recent school year where a rating was received. Any probationary teach-
17 er, principal or other supervising staff hired during the two thousand
18 twenty--two thousand twenty-one school year who was appointed on tenure
19 in another school district, board of cooperative educational services or
20 state school for the blind or deaf and who was not dismissed from such
21 district, board or state school for the blind or deaf as a result of
22 charges brought pursuant to subdivision one of section three thousand
23 twenty-a or section three thousand twenty-b of this chapter, such teach-
24 er, principal or other supervising staff shall be appointed for a proba-
25 tionary period of three years; provided that, in the case of a classroom
26 teacher, principal or other supervising staff such individual demon-
27 strates that he or she received an annual professional performance
28 review rating pursuant to section three thousand twelve-c or section
29 three thousand twelve-d of this chapter in the two thousand seventeen--
30 two thousand eighteen or two thousand eighteen--two thousand nineteen
31 school year. Any probationary teachers, principals or other supervising
32 staff described herein who were appointed during the two thousand twen-
33 ty--two thousand twenty-one school year shall be eligible for tenure at
34 the expiration of his or her probationary period if they have received
35 composite annual professional performance review ratings pursuant to
36 section three thousand twelve-c or section three thousand twelve-d of
37 this chapter of either effective or highly effective in at least two of
38 the four preceding years and did not receive an ineffective rating in
39 the final year of his or her probationary period, or during the most
40 recent school year where a rating was received.

41 § 5. Section 2573 of the education law is amended by adding a new
42 subdivision 1-a to read as follows:

43 1-a. Notwithstanding any other provision of this section, at the expi-
44 ration of the probationary term of a teacher, principal or other super-
45 vising staff described herein who were appointed during the two thousand
46 seventeen--two thousand eighteen, two thousand eighteen--two thousand
47 nineteen and two thousand nineteen--two thousand twenty school years,
48 such individual shall be eligible for tenure if he or she received
49 composite annual professional performance review ratings pursuant to
50 section three thousand twelve-c or section three thousand twelve-d of
51 this chapter of either effective or highly effective in at least one of
52 the four preceding years and did not receive an ineffective rating in
53 the final year of his or her probationary period or during the most
54 recent school year where a rating was received. Any probationary teach-
55 er, principal or other supervising staff hired during the two thousand
56 twenty--two thousand twenty-one school year who was appointed on tenure

1 in another school district, board of cooperative educational services or
2 state school for the blind or deaf and who was not dismissed from such
3 district, board or state school for the blind or deaf as a result of
4 charges brought pursuant to subdivision one of section three thousand
5 twenty-a or section three thousand twenty-b of this chapter, such teach-
6 er, principal or other supervising staff shall be appointed for a proba-
7 tionary period of three years; provided that, in the case of a classroom
8 teacher, principal or other supervising staff such individual demon-
9 strates that he or she received an annual professional performance
10 review rating pursuant to section three thousand twelve-c or section
11 three thousand twelve-d of this chapter in the two thousand seventeen--
12 two thousand eighteen or two thousand eighteen--two thousand nineteen
13 school year. Any probationary teachers, principals and other supervising
14 staff described herein who were appointed during the two thousand twen-
15 ty--two thousand twenty-one school year shall be eligible for tenure at
16 the expiration of his or her probationary period if they have received
17 composite annual professional performance review ratings pursuant to
18 section three thousand twelve-c or section three thousand twelve-d of
19 this chapter of either effective or highly effective in at least two of
20 the four preceding years and did not receive an ineffective rating in
21 the final year of his or her probationary period, or during the most
22 recent school year where a rating was received.

23 § 6. This act shall take effect immediately.