# STATE OF NEW YORK

3963

2021-2022 Regular Sessions

# IN ASSEMBLY

January 29, 2021

Introduced by M. of A. PAULIN, GALEF, ABINANTI, BRABENEC, FAHY, BARRETT, JEAN-PIERRE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to annual teacher and principal evaluations

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

Section 1. Subdivision 11 of section 3012-d of the education law, as added by section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

11. Notwithstanding any inconsistent provision of law, no school district shall be eligible for an apportionment of general support for public schools from the funds appropriated for the 2015--2016 school year and any year thereafter in excess of the amount apportioned to such school district in the respective base year unless such school district **either (i) has adopted a plan for the annual professional performance review of its classroom teachers and building principals in accordance with the requirements of section three thousand twelve-c of this article and the regulations of the commissioner which plan has been approved by the commissioner, or (ii)** has submitted documentation that has been approved by the commissioner by November fifteenth, two thousand fifteen, or by September first of each subsequent year, demonstrating that it has fully implemented the standards and procedures for conducting annual teacher and principal evaluations of teachers and principals in accordance with the requirements of this section and the regulations issued by the commissioner. Provided further that any apportionment withheld pursuant to this section shall not occur prior to April first of the current year and shall not have any effect on the base year calculation for use in the subsequent school year. For purposes of this section, "base year" shall mean the base year as defined in paragraph b of subdivision one of section thirty-six hundred two of this chapter, and "current year" shall mean the current year as defined in paragraph a of subdivision one of section thirty-six hundred two of this chapter.

§ 2. This act shall take effect immediately.

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

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