STATE OF NEW YORK

8340

2021-2022 Regular Sessions

IN ASSEMBLY

October 20, 2021

Introduced by M. of A. GONZALEZ-ROJAS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to incorporating measures of racial and socioeconomic integration into state accountability models

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

Section 1. Legislative intent. The legislature finds and declares all of the following:

(a) The U.S. Supreme Court has declared that school diversity and the reduction of racial isolation are compelling government interests.

(b) Racial and socioeconomic isolation in schools affects students' ability to access experienced and qualified teachers, advanced coursework, high-quality instructional materials, and adequate facilities on an equitable basis.

(c) Decades of research have found that racial and socioeconomic integration of schools benefits all students.

(d) The Elementary and Secondary Education Act of 1965, 20 U.S.C. § 6301, et seq., as amended by the Every Student Succeeds Act, P.L. 114-95 requires state accountability systems to include an indicator of school quality or student success which must meaningfully differentiate among schools and be valid, reliable, and comparable statewide.

The legislature thereby establishes this act to include measures of racial and socioeconomic integration and equality of access in annual school report cards.

§ 2. Section 305 of the education law is amended by adding a new subdivision 57 to read as follows:

57. The commissioner shall establish measures incorporating integration into state accountability models. Such measures shall include:

a. Calculation of a school proportionality score. For each school, the department shall calculate a proportionality score that compares the demographic profiles of each school to the demographic profile of the county in which the school is located in order to measure the degree of racial and economic segregation in each county and the degree of

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

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progress being made over time toward greater diversity. The department shall calculate the proportionality score for each school as follows:

(i) Multiply the proportion of the first subgroup found in the county times the total population of the school;

(ii) Subtract from the product calculated pursuant to subparagraph (i) of this paragraph the population of the first subgroup in the school;

(iii) Convert the number calculated in subparagraphs (i) and (ii) of this paragraph to an absolute value;

(iv) Repeat the steps in subparagraphs (i) through (iii) of this paragraph for every identified subgroup and sum the values;

(v) Divide by an amount equal to the total number of students in the school multiplied by two.

b. Reporting of the school proportionality score. A school shall receive a designation of "highly proportional" if their proportionality score is less than ten percent. The school shall receive a designation of "proportional" if their proportionality score is between ten percent and less than twenty-five percent. The school shall receive a designation of "somewhat disproportional" if their proportionality score is between twenty-five percent and less than fifty percent. The school shall receive a designation of "highly disproportional" if their proportionality score is fifty percent or above.

c. Measures of equality of access for certain subgroups of students served by a school. In addition to the overall school performance scores and grades awarded under this subdivision, for each school that serves any historically underserved student subgroup comprising at least five percent of the school's student population, the department shall calculate measures of equality of access which demonstrate the extent to which each school's population of historically underserved student subgroups has access to school resources associated with high educational achievement.

For each racial or ethnic subgroup within a school and for economically disadvantaged and non-economically disadvantaged students, the department shall calculate each subgroup's participation in or exposure to:

(i) Gifted and talented programs or advanced courses;

(ii) Teachers with at least three years of experience; and

(iii) Teachers with certification from the national board for professional teaching standards.

For each school, each racial or ethnic subgroup within a county, and economically disadvantaged and non-economically disadvantaged students in the county, the department shall calculate the school or subgroup's average:

(A) Number of field trips;

(B) Hours of instruction in arts or music;

(C) School-level ratio of students to psychologists;

(D) School-level ratio of students to guidance counselors;

(E) School-level ratio of students to nurses; and

(F) School-level ratio of students to media specialists.

d. Reporting. The data calculated in paragraphs b and c of this subdivision shall be reported separately on the annual school report card in a way that allows for easy comparison of school-level and county-level data. The school report card shall also indicate whether each school is making progress towards reducing school segregation and providing students with equality of access to school resources associated with high educational achievement.

§ 3. This act shall take effect immediately.