STATE OF NEW YORK

5576--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

4. Notwithstanding any other provision of this section, at the expiration of the probationary term of a classroom teacher or building principal described herein who was 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 classroom teacher hired during the two thousand twenty--two thousand twenty-one school year who was appointed on tenure in another school district within the state, the school district where currently employed, 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, shall be appointed for a probationary period of three years; provided that, in the case of a classroom teacher such individual demonstrates that he or she received an annual professional

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

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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 classroom teachers or building principals 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 or board of cooperative educational services 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 classroom teacher or building principal described herein who was 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 classroom teacher, hired during the two thousand twenty--two thousand twenty-one school year who was appointed on tenure in another school district within the state, the school district where currently employed, 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, shall be appointed for a probationary period of three years; provided that, in the case of a classroom teacher 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 classroom teachers or building principals 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.

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

2-a. Notwithstanding any other provision of this section, at the expiration of the probationary term of a classroom teacher or building principal described herein who was 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 chapter 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 classroom teacher hired during the two thousand twenty--two thousand twenty-one school year who was appointed on tenure in another school district within the state, the school district where currently employed, 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 chapter, such teacher, shall be appointed for a probationary period of three years; provided that, in the case of a classroom teacher 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 chapter in the two thousand seventeen--two thousand eighteen or two thousand eighteen--two thousand nineteen school year. Any probationary classroom teachers or building principals 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 they have received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this chapter 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.

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

1-a. Notwithstanding any other provision of this section, at the expiration of the probationary term of a classroom teacher or building principal described herein who was 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 chapter 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 classroom teacher or building principal hired during the two thousand twen-

ty--two thousand twenty-one school year who was appointed on tenure in another school district within the state, the school district where currently employed, 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 chapter, such teacher shall be appointed for a probationary period of three years; provided that, in the case of a classroom teacher 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 chapter in the two thousand seventeen--two thousand eighteen or two thousand eighteen--two thousand nineteen school year. Any probationary classroom teachers or building principals 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 they have received composite annual professional performance review ratings pursuant to section three thousand twelve-c or section three thousand twelve-d of this chapter 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.

§ 6. This act shall take effect immediately.