

# STATE OF NEW YORK

1106

2023-2024 Regular Sessions

## IN ASSEMBLY

January 13, 2023

Introduced by M. of A. PAULIN, 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 Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 11 of section 3012-d of the education law, as  
2 added by section 2 of subpart E of part EE of chapter 56 of the laws of  
3 2015, is amended to read as follows:

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

27 § 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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