

# STATE OF NEW YORK

1922

2023-2024 Regular Sessions

## IN ASSEMBLY

January 23, 2023

Introduced by M. of A. GONZALEZ-ROJAS, BURGOS, SIMON, CLARK, KELLES --  
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 Assem-  
bly, do enact as follows:

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

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

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

9 (c) Decades of research have found that racial and socioeconomic inte-  
10 gration of schools benefits all students.

11 (d) The Elementary and Secondary Education Act of 1965, 20 U.S.C. §  
12 6301, et seq., as amended by the Every Student Succeeds Act, P.L. 114-95  
13 requires state accountability systems to include an indicator of school  
14 quality or student success which must meaningfully differentiate among  
15 schools and be valid, reliable, and comparable statewide.

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

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

21 57. The commissioner shall establish measures incorporating inte-  
22 gration into state accountability models. Such measures shall include:

23 a. Calculation of a school proportionality score. For each school, the  
24 department shall calculate a proportionality score that compares the  
25 demographic profiles of each school to the demographic profile of the  
26 county in which the school is located in order to measure the degree of  
27 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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1 progress being made over time toward greater diversity. The department  
2 shall calculate the proportionality score for each school as follows:

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

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

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

9 (iv) Repeat the steps in subparagraphs (i) through (iii) of this para-  
10 graph for every identified subgroup and sum the values;

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

13 b. Reporting of the school proportionality score. A school shall  
14 receive a designation of "highly proportional" if their proportionality  
15 score is less than ten percent. The school shall receive a designation  
16 of "proportional" if their proportionality score is between ten percent  
17 and less than twenty-five percent. The school shall receive a desig-  
18 nation of "somewhat disproportional" if their proportionality score is  
19 between twenty-five percent and less than fifty percent. The school  
20 shall receive a designation of "highly disproportional" if their propor-  
21 tionality score is fifty percent or above.

22 c. Measures of equality of access for certain subgroups of students  
23 served by a school. In addition to the overall school performance scores  
24 and grades awarded under this subdivision, for each school that serves  
25 any historically underserved student subgroup comprising at least five  
26 percent of the school's student population, the department shall calcu-  
27 late measures of equality of access which demonstrate the extent to  
28 which each school's population of historically underserved student  
29 subgroups has access to school resources associated with high educa-  
30 tional achievement.

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

35 (i) Gifted and talented programs or advanced courses;

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

37 (iii) Teachers with certification from the national board for profes-  
38 sional teaching standards.

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

43 (A) Number of field trips;

44 (B) Hours of instruction in arts or music;

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

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

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

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

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

56 § 3. This act shall take effect immediately.