STATE OF NEW YORK

843

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to contracts for excellence; and to amend a chapter of the laws of 2022 amending the education law relating to the contract for excellence in a city school district in a city having a population of one million or more inhabitants, as proposed in legislative bills numbers S. 9460 and A. 10498, in relation to the effectiveness thereof

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

Section 1. Clause (A) of subparagraph (ii), clause (G) of subparagraph (iii) and subparagraph (v) of paragraph (b) of subdivision 2 of section 211-d of the education law, clause (A) of subparagraph (ii) and clause (G) of subparagraph (iii) as amended and subparagraph (v) as added by a chapter of the laws of 2022, amending the education law relating to the contract for excellence in a city school district in a city having a population of one million or more inhabitants, as proposed in legislative bills numbers S. 9460 and A. 10498, are amended to read as follows:

(A) In a city school district in a city having a population of one million or more inhabitants such contract shall also include a plan, which shall be developed in collaboration with the collective bargaining units representing teachers and the principals **beginning in September two thousand twenty-two** and signed off on by the chancellor and the presidents of each bargaining unit, to reduce actual class sizes, beginning September [~~two thousand twenty-two~~] **two thousand twenty-three** and to be achieved by September [~~two thousand twenty-seven~~] **two thousand twenty-eight** for all classes, with the exception of physical education and performing groups, as follows: (1) kindergarten-third grade to have no more than twenty students per class; (2) fourth-eighth grade to have no more than twenty-three students per class; and (3) high school to have no more than twenty-five students per class. Physical education

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

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and performing groups shall have no more than forty students per class at all levels. Each year of the plan, an additional twenty percent of the classrooms in the city school district, excluding special education classes, shall be in compliance with the class size targets such that the city school district is in full compliance by [~~two thousand twenty-seven~~] two thousand twenty-eight and all classes should maintain the target class size. The class size reduction plan shall prioritize schools serving populations with higher poverty levels.

(G) the schools that have made insufficient progress toward achieving the class size reduction targets set forth in the approved class size reduction plan pursuant to subparagraph (ii) of this paragraph and a detailed description of the actions that will be taken to reduce class sizes in such schools.

The report shall be submitted to the commissioner on or before November fifteenth two thousand twenty-three and on or before November fifteenth of each year thereafter and made available to the public by such date on the city school district's website. If the department determines that the November fifteenth report does not demonstrate sufficient decreases in class size, the department shall issue a letter making that determination public on its website and the city school district shall immediately submit a plan for corrective action, which shall be developed in collaboration with the collective bargaining units representing the teachers and the principals and signed off on by the chancellor and the president of each collective bargaining unit. The city school district's corrective action plan shall also be made available to the public on the city school district's website upon submission to the department. The final corrective action plan shall be made available to the public upon approval by the department. The report shall also be certified by the state or city comptroller that the city school district's capital and education funding plans will provide sufficient space and staffing for the reduction in class size set forth in this paragraph and, if not, what measures and/or funding should be added to the plan to achieve such targets.

(v) In addition to the annual reports, the city school district shall submit a financial impact statement on November fifteenth, [~~two thousand twenty-four~~] two thousand twenty-five. The financial impact statement may recommend a pause of the class size reduction plan, but in no event may it result in a roll back or increase in class sizes.

§ 2. Section 6 of a chapter of the laws of 2022 amending the education law relating to the contract for excellence in a city school district in a city having a population of one million or more inhabitants, as proposed in legislative bills numbers S. 9460 and A. 10498, is amended to read as follows:

§ 6. This act shall take effect immediately; provided that the amendments to paragraph e of subdivision 1 of section 211-d of the education law made by section one of this act shall take effect [~~on the same date and in the same manner as section 1 of part A of chapter 56 of the laws of 2022, takes effect~~] July 1, 2023; and provided, further that the amendments to paragraph d of subdivision 4 of section 211-d of the education law made by section four of this act shall take effect April 1, 2023.

§ 3. This act shall take effect immediately; provided that the amendments to clause (A) of subparagraph (ii), clause (G) of subparagraph (iii) and subparagraph (v) of paragraph (b) of subdivision 2 of section 211-d of the education law made by section one of this act shall take effect on the same date and in the same manner as a chapter of the laws

of 2022 amending the education law relating to the contract for excellence in a city school district in a city having a population of one million or more inhabitants, as proposed in legislative bills numbers S. 9460 and A. 10498, takes effect.