

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:

1 Section 1. Clause (A) of subparagraph (ii), clause (G) of subparagraph
2 (iii) and subparagraph (v) of paragraph (b) of subdivision 2 of section
3 211-d of the education law, clause (A) of subparagraph (ii) and clause
4 (G) of subparagraph (iii) as amended and subparagraph (v) as added by a
5 chapter of the laws of 2022, amending the education law relating to the
6 contract for excellence in a city school district in a city having a
7 population of one million or more inhabitants, as proposed in legisla-
8 tive bills numbers S. 9460 and A. 10498, are amended to read as follows:
9 (A) In a city school district in a city having a population of one
10 million or more inhabitants such contract shall also include a plan,
11 which shall be developed in collaboration with the collective bargaining
12 units representing teachers and the principals beginning in September
13 two thousand twenty-two and signed off on by the chancellor and the
14 presidents of each bargaining unit, to reduce actual class sizes, begin-
15 ning September [~~two thousand twenty-two~~] two thousand twenty-three and
16 to be achieved by September [~~two thousand twenty-seven~~] two thousand
17 twenty-eight for all classes, with the exception of physical education
18 and performing groups, as follows: (1) kindergarten-third grade to have
19 no more than twenty students per class; (2) fourth-eighth grade to have
20 no more than twenty-three students per class; and (3) high school to
21 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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1 and performing groups shall have no more than forty students per class
2 at all levels. Each year of the plan, an additional twenty percent of
3 the classrooms in the city school district, excluding special education
4 classes, shall be in compliance with the class size targets such that
5 the city school district is in full compliance by ~~[two thousand twenty-~~
6 ~~seven]~~ two thousand twenty-eight and all classes should maintain the
7 target class size. The class size reduction plan shall prioritize
8 schools serving populations with higher poverty levels.

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

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

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

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

44 § 6. This act shall take effect immediately; provided that the amend-
45 ments to paragraph e of subdivision 1 of section 211-d of the education
46 law made by section one of this act shall take effect ~~[on the same date~~
47 ~~and in the same manner as section 1 of part A of chapter 56 of the laws~~
48 ~~of 2022, takes effect]~~ July 1, 2023; and provided, further that the
49 amendments to paragraph d of subdivision 4 of section 211-d of the
50 education law made by section four of this act shall take effect April
51 1, 2023.

52 § 3. This act shall take effect immediately; provided that the amend-
53 ments to clause (A) of subparagraph (ii), clause (G) of subparagraph
54 (iii) and subparagraph (v) of paragraph (b) of subdivision 2 of section
55 211-d of the education law made by section one of this act shall take
56 effect on the same date and in the same manner as a chapter of the laws

1 of 2022 amending the education law relating to the contract for excel-
2 lence in a city school district in a city having a population of one
3 million or more inhabitants, as proposed in legislative bills numbers S.
4 9460 and A. 10498, takes effect.