

PROGRAM BILL # 6

S. _____
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

EDUCLA

(Provides for implementation of an
objective teacher evaluation system
based on performance and seniority)

Ed L. teachers; performance revw

AN ACT

to amend the education law, in
relation to expediting and expanding
a statewide, objective teacher eval-
uation system

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

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal

s20 Adams	s44 Farley	s58 Kennedy	s18 Montgomery	s23 Savino
s15 Addabbo	s02 Flanagan	s34 Klein	s54 Nozzolio	s28 Serrano
s55 Alesi	s08 Fuschillo	s26 Krueger	s53 O'Mara	s51 Seward
s11 Avella	s59 Gullivan	s27 Kruger	s37 Oppenheimer	s09 Skelos
s40 Ball	s12 Gianaris	s24 Lanza	s21 Parker	s14 Smith
s42 Bonacic	s22 Golden	s39 Larkin	s13 Peralta	s25 Squadron
s46 Breslin	s47 Griffo	s01 LaValle	s30 Perkins	s16 Stavisky
s38 Carlucci	s60 Grisanti	s52 Libous	s61 Ranzenhofer	s35 Stewart-
s50 DeFrancisco	s06 Hannon	s45 Little	s48 Ritchie	Cousins
s32 Diaz	s36 Hassell-	s05 Marcellino	s33 Rivera	s49 Valesky
s17 Dileo	Thompson	s07 Martins	s56 Robach	s57 Young
s29 Duane	s10 Huntley	s62 Mozianz	s41 Saland	s03 Zeldin
s31 Espallat	s04 Johnson	s43 McDonald	s19 Sampson	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a107 Crouch	a042 Jacobs	a121 Miller, D.	a068 Rodriguez
a092 Abinanti	a014 Curran	a055 Jaffee	a102 Miller, J.	a067 Rosenthal
a105 Amedore	a063 Cusick	a057 Jeffries	a038 Miller, M.	a118 Russell
a084 Arroyo	a045 Cymbrowitz	a135 Johns	a052 Millman	a012 Saladino
a035 Aubry	a034 DenDekker	a112 Jordan	a103 Molinaro	a113 Sayward
a124 Barclay	a116 Destito	a099 Katz	a015 Montesano	a029 Scarborough
a040 Barron	a081 Dinowitz	a074 Kavanagh	a132 Morelle	a016 Schimel
a082 Benedetto	a114 Duprey	a065 Kellner	a039 Moya	a140 Schimniger
a073 Bing	a004 Englebright	a100 Kirwan	a003 Murray	a145 Schroeder
a122 Blankenhush	a072 Farrell	a129 Kolb	a037 Nolan	a064 Silver
a055 Boyland	a123 Finch	a025 Lancman	a128 Oaks	a036 Simotas
a008 Boyle	a007 Fitzpatrick	a091 Latimer	a069 O'Donnell	a146 Smardz
a026 Braunstein	a137 Friend	a013 Lavine	a051 Ortiz	a093 Spano
a044 Brennan	a143 Gabryszak	a050 Lentol	a136 Palmesano	a079 Stevenson
a131 Bronson	a090 Galef	a125 Lifton	a088 Paulin	a011 Sweeney
a046 Brook-Krasny	a133 Gantt	a072 Linares	a141 Peoples-	a110 Tedisco
a147 Burling	a077 Gibson	a127 Lopez, P.	Stokes	a115 Tenney
a117 Butler	a149 Giglio	a053 Lopez, V.	a058 Perry	a002 Thiele
a101 Cahill	a066 Glick	a001 Losquadro	a023 Pheffer	a061 Titone
a096 Calhoun	a150 Goodell	a126 Lupardo	a087 Pretlow	a031 Titus
a043 Camera	a075 Gottfried	a111 Megee	a021 Re	a062 Tobacco
a106 Canestrari	a005 Graf	a120 Magnarelli	a097 Rabbitt	a054 Towns
a089 Castelli	a098 Gunther	a059 Maisel	a009 Raia	a041 Weinstein
a086 Castro	a130 Hanna	a060 Malliotakis	a006 Ramos	a020 Weisenberg
a138 Ceretto	a139 Hawley	a030 Markey	a134 Reilich	a024 Weprin
a033 Clark	a148 Hayes	a027 Meyersohn	a109 Reilly	a070 Wright
a047 Colton	a063 Heastie	a019 McDonough	a078 Rivera, J.	a094 Zebrowski
a010 Conte	a028 Hevesi	a104 McEneny	a080 Rivera, N.	
a032 Cook	a048 Hikind	a017 McKevitt	a076 Rivera, P.	
a142 Corwin	a018 Kooper	a108 McLaughlin	a119 Roberts	
a085 Craspo	a144 Hoyt	a022 Meng	a056 Robinson	

1) Single House Bill (introduced and printed separately in either or both
houses). Uni-Bill (introduced simultaneously in both houses and printed as one
bill). Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed
copies of bill and 4 copies of memorandum in support (single house); or 4 signed
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. Paragraphs c and f of subdivision 2 and subdivisions 3 and
2 7 of section 3012-c of the education law, as added by chapter 103 of the
3 laws of 2010, are amended to read as follows:

4 c. Annual professional performance reviews conducted by school
5 districts or boards of cooperative educational services on or after July
6 first, two thousand [twelve] eleven of all classroom teachers and all
7 building principals shall be conducted pursuant to this subdivision and
8 shall use two thousand [eleven--two thousand twelve] ten--two thousand
9 eleven school year student data as the baseline for the initial computa-
10 tion of the composite teacher or principal effectiveness score for such
11 classroom teachers and principals. For purposes of this section, an
12 administrator in charge of an instructional program of a board of coop-
13 erative educational services shall be deemed to be a building principal.

14 f. For annual professional performance reviews conducted in accordance
15 with paragraph c of this subdivision in any school year prior to the
16 first school year for which the board of regents has approved use of a
17 value-added growth model, [but not earlier than the two thousand twelve-
18 -two thousand thirteen] commencing in the two thousand eleven--two thou-
19 sand twelve school year, forty percent of the composite score of effec-
20 tiveness shall be based on student achievement measures as follows: (i)
21 twenty percent of the evaluation shall be based upon student growth data
22 on state assessments as prescribed by the commissioner or a comparable
23 measure of student growth if such growth data is not available; and (ii)
24 twenty percent shall be based on other locally selected measures of
25 student achievement that are determined to be rigorous and comparable
26 across classrooms in accordance with the regulations of the commissioner
27 and as are developed locally in a manner consistent with procedures

1 negotiated pursuant to the requirements of article fourteen of the civil
2 service law.

3 3. Nothing in this section shall be construed to excuse school
4 districts or boards of cooperative educational services from complying
5 with the standards set forth in the regulations of the commissioner for
6 conducting annual professional performance reviews of classroom teachers
7 or principals, including but not limited to required quality rating
8 categories, in conducting evaluations prior to July first, two thousand
9 eleven, [or] and, for classroom teachers or principals subject to para-
10 graph c of subdivision two of this section, prior to July first, two
11 thousand [twelve] eleven.

12 7. a. The regulations adopted pursuant to this section shall be devel-
13 oped in consultation with an advisory committee consisting of represen-
14 tatives of teachers, principals, superintendents of schools, school
15 boards, school district and board of cooperative educational services
16 officials and other interested parties. The regulations shall also take
17 into account any (i) professional teaching standards; (ii) standards for
18 professional contexts; and (iii) standards for a continuum of system
19 support for teachers and principals developed in consultation with the
20 advisory committee. Regulations promulgated pursuant to this section
21 shall be effective no later than [July] June first, two thousand eleven,
22 for implementation in the two thousand eleven--two thousand twelve
23 school year.

24 b. Such regulations shall include guidelines for standards, objective
25 measures and criteria for the evaluation of:

26 (i) classroom teachers which shall include but not be limited to:
27 content knowledge, planning for instruction that ensures growth and
28 achievement for all students; instruction that engages and challenges

1 all students to meet or exceed the learning standards; and using multi-
2 ple measures to assess and document student growth, evaluate instruc-
3 tional effectiveness, and modify instruction. Provided further that any
4 mechanism utilized in the evaluation of classroom teachers shall be
5 standardized and: require the use of clear and precise language that
6 facilitates common understanding among teachers and administrators; to
7 the extent possible, rely on specific, discrete, observable behaviors by
8 students and teachers in the classroom with direct evidence of student
9 engagement or learning; and be specifically designed to assess the
10 classroom effectiveness of teachers.

11 (ii) building principals which shall include but not be limited to:
12 facilitating the development, articulation, implementation, and steward-
13 ship of a vision of learning that is shared and supported by the school
14 community; advocating, nurturing and sustaining a school culture and
15 instructional program conducive to student learning and staff profes-
16 sional growth; and ensuring management of the organization, operations
17 and resources for a safe, efficient, and effective learning environment.
18 Provided further that any mechanism utilized in the evaluation of build-
19 ing principals shall be standardized and: set high performance expecta-
20 tions for building principals by describing multiple levels of effec-
21 tiveness for each standard or element; use clear and precise language
22 that facilitates common understanding among building principals and
23 their evaluators; and to the extent possible, rely on specific,
24 discrete, observable behaviors by principals and their staff and
25 students.

26 c. Regulations setting forth such guidelines shall be posted on the
27 department's website and, where practicable, each school district's and

- 1 board of cooperative educational services' website, to ensure that such
- 2 regulations may be easily accessed by the public.
- 3 § 2. This act shall take effect immediately.