

**2015-16 NEW YORK STATE EXECUTIVE BUDGET**

**THE EDUCATION OPPORTUNITY AGENDA  
ARTICLE VII LEGISLATION**

**MEMORANDUM IN SUPPORT**

## MEMORANDUM IN SUPPORT

A BUDGET BILL submitted by the Governor in  
Accordance with Article VII of the Constitution

AN ACT to amend the education law, in relation to admission requirements for graduate-level teacher education programs, institution deregistration and suspension, teacher registration and continuing teacher education requirements (Subpart A); to amend the education law, in relation to establishing the New York state masters-in-education teacher incentive scholarship program (Subpart B); to amend the education law, in relation to the appointment of teachers, principals, administrators, supervisors and all other members of the teaching and supervising staff of school districts (Subpart C); to amend the education law, in relation to takeover and restructuring of failing school districts (Subpart D); to amend the education law, in relation to disciplinary procedures for ineffective teaching or performance by a building principal or teacher (Subpart E); and to amend the education law, in relation to charter schools (Subpart F) (Part A); to amend the education law, in relation to annual professional performance reviews for classroom teachers and building principals (Part B); to amend chapter 91 of the laws of 2002 amending the education law and other laws relating to the reorganization of the New York city school construction authority, board of education and community boards, in relation to the effectiveness thereof; and to amend chapter 345 of the laws of 2009 amending the education law relating to the New York city board of education, chancellor, community councils and community superintendents, in relation to the effectiveness thereof (Part C); and to amend the education law, in relation to school aid increase linkage and to amend part A of chapter 57 of the laws of 2013 relating to school district eligibility for an increase in

apportionment of school aid and implementation of standards for conducting annual professional performance reviews to determine teacher and principal effectiveness, in relation to apportionment of general support for public schools (Part D)

Purpose:

This bill contains various provisions necessary to implement the Education Opportunity Agenda.

Statement in Support, Summary of Provisions, Existing Law, and Prior Legislative History:

This bill would enact provisions to implement the Education Opportunity Agenda. This bill would require the legislative enactment of these provisions to implement the 2015-16 Executive Budget School Aid increase for the 2015-16 school year. Significant provisions of this bill include:

**PART A**

**Teacher Certification and Preparation.** This bill would deregister any teacher preparation programs where fifty percent of the students have failed a teacher certification program for three consecutive years, and add statewide admission requirements to institutions of higher education teacher preparation programs. This bill would require that teachers must re-register their teaching certificate with the State Education Department every five years, as well as require professional development as a condition of re-registration.

**Masters-in-Education Scholarship.** This bill would provide a scholarship for New York residents to attend the City University of New York or the State University of New York teacher preparation graduate programs, provided they commit to teach in a New York public school for five years.

**Tenure.** This bill would change the tenure process for all new teachers to require that all new teachers shall remain on probation until they receive five consecutive effective or highly effective ratings on the state teacher evaluation system.

**Failing Schools.** This bill would authorize the Commissioner of Education to designate failing schools and appoint a receiver for the underperforming school or district. The receiver shall have the rights of a superintendent and the school board, and will create and enact a plan to rapidly improve student achievement, which shall include plan

elements such as the implementation of community schools, the alteration of curriculum, and the provision of financial incentives to recruit and retain staff.

**Teacher Dismissal.** This bill would immediately revoke the teaching certificate of any person who is convicted of a violent felony against a child, as well requiring suspension without pay for any teacher accused of abuse of a child. This bill would also require that all disciplinary hearings be held before a single hearing officer, remove requirements which prevent children from testifying in writing or by video, and significantly reduce the burden for a district to remove a teacher that receives two ineffective ratings in a row.

**Charter Schools.** This bill would increase the statewide cap on the number of charters issued by the Board of Regents and the State University of New York; remove specific limits on the numbers of charters issued by region; and remove specific limits on the number of charters each authorizer can each issue under the cap. This bill would increase the Charter School Supplemental Basic Tuition to \$425 per pupil in 2015-16 and \$575 in 2016-17. This bill would also enact new data reporting requirements and lottery preferences for charter schools.

## **PART B**

**Teacher Evaluation.** This bill would change the components of the teacher evaluation system to remove the local test portion. This bill would require the weightings of the score components to be fifty percent state tests and other comparable measures and fifty percent classroom observations. Thirty-five of these fifty percentage points would be determined by an independent observer. This bill would also disallow students from having an ineffective teacher in two consecutive years.

## **PART C**

**Mayoral Control.** This bill would extend the current system of mayoral control of New York City public schools for three years.

## **PART D**

**Conditioning School Aid increases on Meaningful Reform:** This bill would require certain provisions of the Educational Opportunity Agenda to be enacted in order to authorize an increase in a school's district State Aid.

### **Budget Implications:**

Enactment of this bill is necessary to implement the 2015-16 Executive Budget.

### **Effective Date:**

This bill takes effect April 1, 2015, except that selected provisions take effect immediately or on other specified dates.

The provisions of this act shall take effect immediately, provided, however, that the applicable effective date of each part of this act shall be as specifically set forth in the last section of such part.