

2012 Update from the New York State Assembly



EDUCATION COMMITTEE

Sheldon Silver, Speaker • Catherine Nolan, Chairwoman

Letter from Chair:

Dear Education Advocates,

During this difficult fiscal period in our state, government has been faced with many decisions. When it comes to education, however, I can report that the 2012-13 enacted state budget increases school aid by \$805 million, and honors the two year commitment made in last year's budget to increase school aid by approximately 4 percent. The Assembly was a strong advocate for this increase, and as Chair of the Education Committee I am gratified that it became part of the enacted budget.

This increase allows local school districts more options to instruct the next generation of students while preparing them for higher education and the workforce. The budget is only one of many legislative successes we saw this year, including the passage of important cyberbullying legislation and mandatory kindergarten laws for New York City and Rochester. For more information on both of these laws and other major legislative initiatives, simply read on in the newsletter, and please feel free to contact my office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Nolan".

Catherine Nolan
Chairwoman



Governor Cuomo signing the education portion of the enacted 2012-13 state budget with Speaker Sheldon Silver, Assemblywoman Catherine Nolan, Senator John Flanagan and Senator Majority Leader Dean Skelos.

Education Budget:

The 2012-13 state budget increases school aid by \$805 million. More specifically, this includes a \$111.5 million increase in foundation aid, a \$400 million increase in the Gap Elimination Adjustment restoration and a full restoration of \$239 million for expense-based aid. The budget also sets aside \$125 million for competitive grants for school districts.

The final budget also:

1. restores \$10.2 million to teacher resource and training centers;
2. increases non-public school aid by \$7 million for total of \$123.6 million;
3. increases aid to public libraries by \$3.9 million providing \$82.9 million in total funding;
4. increases adult literacy education by \$1 million for a total of \$5.2 million; and
5. provides \$1 million for the missing children program.

The final budget also authorizes school districts to use excess Employee Benefit Accrued Liability Reserve (EBALR) funds to maintain educational programming and rejects the proposal to shift costs for Pre-School Special Education onto local school districts.

Cyberbullying:

This year the Assembly Education Committee reported and both houses passed A.10712 (O'Donnell)/S.7740 (Saland) which was signed into law by the Governor. The legislation prohibits bullying and cyberbullying of New York's students and will provide a more supportive and positive learning environment in schools.

The bill protects students from all forms of cyberbullying, harassment and discrimination by requiring school districts to take a series of steps, which include:

1. establishing protocols to respond to cyberbullying including to designate a school official to receive and promptly investigate reports;
2. taking actions to prevent recurrences of cyberbullying and bullying;
3. coordination with law enforcement when appropriate;
4. using prevention strategies; and
5. notifying all school members about school policies and setting training for current and new school employees.

With this legislation, New York State has taken an unprecedented step forward and hopefully sets an

example for many other school districts around the country. I applaud Assemblyman Daniel O'Donnell, Speaker Silver and Governor Cuomo for taking up this very important issue.

Universal Kindergarten

This year the Assembly Education Committee reported and both houses passed two kindergarten bills. A.9861 (Nolan) and A.10216A (Gantt) authorize New York City and Rochester to require kindergarten for all five year olds. The Governor has signed both bills into law. I personally would like to thank New York City Council Speaker Christine Quinn and the Rochester Delegation for their support of this issue.

Both bills expand an existing state law which authorized the city of Syracuse to require five year olds to attend kindergarten. Although the bills provide universal access to kindergarten for all five year olds, there are several exemptions. Parents may choose to delay enrollment of their five year old until the following September. Children who are also enrolled in non-public schools are also exempted.

Expanding this law to both New York City and Rochester will allow both cities to make critical investments in providing early childhood education to all five year olds. Various studies have pointed to the positive effects that early childhood education has on the development and academic success of students. I look forward to working with the committee and authorizing more cities to make this critical change.

BOCES

The Assembly Education Committee passed several bills that would allow boards of cooperative educational services (BOCES) to contract with other agencies. These arrangements will allow the state to save much-needed funds while bringing cost savings, efficiency and real mandate relief to both the state and local school districts.

One of these bills, A.10205A (Nolan) was signed into law by the Governor. This law will allow BOCES to contract out their innovative services to out-of-state school districts. It would only allow BOCES to contract existing products and services allowing the revenue that is generated to be used for saving existing resources, programs and staff for students in New York State. Any contracts with out-of-state school districts will not be eligible for state aid. The law sunsets in two years, which will give the legislature and the committee time to review the impact of the policy.

A.464B (Gunther) was reported out of committee and passed the Assembly. This bill would authorize BOCES to enter into contracts with public libraries for high-speed telecommunications services. Many BOCES have invested significant sums of money in developing their own telecommunications networks including high-speed

Internet service. This could be a useful resource for libraries, many of which do not have the means to establish high-speed Internet on their own. This arrangement would promote efficiency and bring cost savings into the equation for both institutions.

Disclosure of Teacher Evaluations

This year the Assembly Education Committee reported and both houses passed A.10786 (Jaffee)/S.7792 (Rules) which was signed into law by the Governor. The new law calls on the State Education Department, each school district and BOCES to publicly release Annual Professional Performance Review (APPR) data that does not contain personal identification for any teacher or principal. School districts and BOCES will be required to disclose to parents the final composite evaluation scores for each of the teachers and principals assigned to their children for the current school year. This bill builds on previous legislation that I sponsored, A.11171 of 2010, which required a new system of annual professional performance reviews for teachers and principals.

The districts would also be required to give parents notice about their right to obtain APPR information and explain the scoring ranges for the teacher and principal ratings.

This bill attempts to strike a balance between a parent's right to know information about their child's educators and a teacher's right to privacy.



Assemblywoman Catherine Nolan, Chair of the Assembly Education Committee, gave the keynote address at the 2012 Queens Borough Summer High School Graduation at Long Island City High School.

Assemblywoman Catherine Nolan, DOE Chancellor Dennis Walcott, Juan Mendez, Queens High School Superintendent, DOE Cluster 2 Leader Despina Zaharakis, Vivian Selenikas, Long Island City High School Principal, and Denise Vittor Grover, Cleveland High School Principal, were all present to congratulate the new graduates.

New Education Laws:

A.7216 (Benedetto): Allows a parent to request an additional parent residing in the school district to participate in committees on special education.

A.7591C (Nolan): Requires the State Education Department and other state agencies to assure that children from birth through five years of age are prepared for school.

A.7823B (Nolan): Allows a school district to distribute a special education student's Individualized Education Plan (IEP) by electronic means if they train teachers about the electronic system.

A.8865 (Magnarelli): Authorizes the appointment of supervising staff in the city school district of the city of Syracuse by the superintendent of such district.

A.8924 (Heastie): Authorize the Greenburgh-Graham Union Free School District, which is a "Special Act" public school district, to expand their campus by operating a small public school in the borough of the Bronx for children leaving foster care institutions.

A.9442 (Lupardo): Provides that school aid shall not be reduced if a school is closed due to extraordinary circumstances, emergency or disaster.

A.9472 (Nolan): Allows teachers who are permanent residents to become licensed and teach in a classroom.

A.9906A (Nolan): Continues New York State's compliance with the Federal Individuals with Disabilities Education (IDEA) improvement act of 2004.

A.10292A (Arroyo): Relates to conferring a state seal of bi-literacy for students who achieve certain criteria in the language arts.

A.10397 (Gunther): Authorizes school districts to provide busing to pre-kindergarten students.

A.10407 (Peoples-Stokes): Relates to Buffalo City School District petitions for nomination of school board members.

Other Legislation Reported by the Assembly Education Committee in 2012

A.935 (Ortiz): Authorizes boards of education or trustees of school districts to allow certain pupils diagnosed with respiratory illnesses to carry a prescribed inhaler. Reported from Committee and passed Assembly.

A.2417 (Heastie): Protects children in New York City from child abuse and maltreatment in educational settings. Reported from Committee.

A.9267 (Hooper): Allows a board of education to provide transportation to children who live less than two miles from school that have a parent who cannot accompany them because of a disability. Passed both Houses, vetoed by the Governor.

Assembly Education Public Hearing

Implementation of Federal School Intervention Models in New York City:

The Assembly Education Committee held a public hearing to examine efforts in New York State and New York City to identify and improve the lowest performing schools. The hearing also looked at the related impacts school closings had on their communities, principals, teachers and students. The hearing addressed how the State Education Department targets resources to support new school intervention models and the technical support and oversight provided to these schools.

Many members on the committee expressed disappointment that the New York City Department

of Education (NYC DOE) was attempting to close 33 schools and re-open them under new names using the turnaround model. This hearing gave legislators the opportunity to question the DOE about this move. It also provided a forum for many other educational stakeholders, including teachers, parents, school supervisors and students to express their views and concerns about the decision.

Update: Due to ongoing litigation, the 33 schools on the DOE's turnaround list remained open for this school year. The committee will continue to work to find alternative to better support these particular schools.

Commissioner King Addresses the Committee

The Assembly Education Committee welcomed State Education Commissioner John King to address the committee. The Commissioner made a presentation about the State Education Department's priorities and answered questions from members of the committee. The committee looks forward to working with Commissioner King to build on the success of this past legislative session.



Assemblyman William Magnarelli, Assemblyman Steve Englebright, Assemblyman Robert Sweeney, Commissioner John King, Assemblywoman Catherine Nolan, Assemblywoman Barbara Clark, Assemblyman Karim Camara and Assemblywoman Joan Millman.



Assemblywoman Nolan with Deputy Bronx Borough President Aurelia Greene and parents at the New Settlement Community Campus, on Jerome Avenue in the Bronx. Assemblywoman Nolan visited several schools in New York City for the first day of school.

Assemblywoman Catherine Nolan, Chair

New York State Assembly Committee on Education
LOB 836, Albany, NY 12248 • 518-455-4851 • nolanc@assembly.state.ny.us