



Assembly Education

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ALBANY - (04/27/22, 10:00 a.m., Webcast)

The Assembly Standing Committee on Education met Wednesday morning to consider 28 bills. Chair Michael Benedetto, Ranker Douglas Smith, and Assembly Members William Magnarelli, Amy Paulin, Philip Ramos, Daniel O'Donnell, Ronald Kim, Steven Otis, Rebecca Seawright, Alicia Hyndman, Harry Bronson, Jo Anne Simon, Kimberly Jean-Pierre, Alfred Taylor, Inez Dickens, Latoya Joyner, Rodneyse Bichotte Hermelyn, Nader Sayegh, Marianne Buttenschon, William Conrad, Chantel Jackson, Marcela Mitaynes, Amanda Septimo, Manny De Los Santos, Mary Beth Walsh, David McDonough, Christopher Friend, John Mikulin, Michael Lawler, Michael Reilly, and Eric Ari Brown attended.

Ranker Smith welcomed new member, Eric Ari Brown, to the committee.

Chair Benedetto began the meeting by congratulating Lawler on the birth of his new baby.

The following bills were reported to First Reading:

N AB 8540 By Burdick, Chris (F). Requires same-day notification of a parent or person in parental relation of a student with a disability where certain behavioral interventions are used.

Conrad asked if this bill applied to all students or solely those in special education programs. The Chair answered the bill applied to all students.

Conrad asked what qualified as "behavioral intervention." Staff answered it was generally held to mean the use of physical or mechanical restraints on a student.

N AB 9534 By Stirpe, Jr., Albert A.. Relates to first aid instruction for coaches and staff of high school athletics.

T AB 9600 By Benedetto, Michael R.. Relates to annual professional performance reviews and tenure.

Walsh asked for clarification as to how long the state's Annual Professional Performance Review (APPR) has been suspended. The Chair said it has also been suspended since 2020, adding that this should be the last APPR adjustment the committee has to make. Walsh laughed and said, "You anticipated my next question."

The following bills were committed and reported to Ways and Means:

N AB 2185 By Carroll, Robert. Establishes a dyslexia task force and implementing the findings of such task force.

The following bills were held for further consideration:

T AB 1035 By Byrnes, Marjorie. Authorizes school districts to establish an extraordinary needs reserve fund for the expenses of providing special education.

The Minority voted in the negative.

N AB 1977 By Hawley, Stephen M.. Relates to a school resource officer program.

The Minority voted in the negative.

Smith said he believes it will be important going forward to provide retired police officers with a waiver to better facilitate hiring into school officer programs, adding that their skills are second-to-none and their superior training and ability should be taken into account. He believes there is a definite benefit to schools having the same resources officers year round.

Lawler said lifting these caps would help with recruiting not only school safety officers, but bus drivers as well, both of which the public school system faces a shortage of at the moment.

N AB 2399 By Hyndman, Alicia. Relates to directing the commissioner to convene statewide and regional conventions to bring together underrepresented educators.

The Minority voted in the negative.

Hyndman, the bill's sponsor, challenged the Chair's reasoning behind the hold, saying worries about fiscal implications would only further exasperate current teacher shortages, particularly teachers from underrepresented communities. She pointed to the millions of dollars in contracts spent by the Education Department on studies, consultants, test administration, and the like, emphasizing that the money is present should we wish to utilize it.

Hyndman said she does not believe the Education Department is doing enough to recruit teachers of color from in and around the state. The Chair responded that while he was sympathetic to her points, the Education Department holds several annual events for underrepresented teachers, including the Teacher Opportunity Corps II Summit and the New York State My Brother's Keeper Symposium.

Smith said he supports the bill's intent and asked the Sponsor if she would be open to the two of them writing a letter to the Education Commissioner on the subject, adding that he believed she would be receptive to the matter. Hyndman thanked Smith for the offer and show of support.

N [AB 3750](#) By DeStefano, Joseph. Provides that results of state examinations for students in grades three through eight shall not affect such students overall grade point average.

The Minority voted in the negative.

N [AB 3777](#) By DeStefano, Joseph. Excludes tax levies necessary for expenditures increasing school safety or security from the school district tax levy limit.

The Minority voted in the negative.

N [AB 4143](#) By Tague, Christopher. Relates to school aid computer listings for school districts.

The Minority voted in the negative.

N [AB 4451](#) By Ra, Edward P. Relates to the approval of reimbursement methodologies for tuition and maintenance.

The Minority voted in the negative.

Smith said he believes the intention of this bill was to continue to build off the investments made in education in the recently enacted state budget. The Chair said they could work out something to this end in the future.

N [AB 4556](#) By Hyndman, Alicia. Establishes the underrepresented teachers of tomorrow teacher recruitment and retention program.

The Minority, along with Hyndman, voted in the negative.

N [AB 4648](#) By Lawler, Michael V. (F). Adjusts the regional labor force cost index for the Hudson Valley region.

The Minority voted in the negative.

Lawler asked who he should speak with during budget negotiations to address this matter, responding to the Chair's claim the bill was being held due to fiscal concerns that should be addressed in the budget. The Chair answered that he could be contacted for this matter and would then loop in the Education Department. Lawler asked if this would help facilitate the budget process. "It might help it," said the Chair.

Lawler observed that Rockland and Westchester Counties are the two highest taxed counties in the country, with significantly high costs of living and labor. Therefore, he said it was imperative that those areas be treated on par with New York City and Long Island in terms of the regional cost index, which would provide significant financial aid to multiple school districts in the counties. The Chair responded that Lawler was certainly not alone in his issues with the Foundation Aid formula, adding they'll hopefully address those concerns in the future.

N [AB 4746](#) By Smith, Douglas. Relates to the common core state standards initiative.

The Minority voted in the negative.

The Chair said the bill was being held because the Education Department already adopted new learning standards in 2017. Smith acknowledged such changes had indeed been made but called the bill "a reminder we want to go forward but not backwards."

N [AB 5120](#) By Montesano, Michael A.. Relates to the authorization of school districts to enter into lease purchase agreements for the acquisition of security solutions.

The Minority voted in the negative.

N [AB 5133](#) By Montesano, Michael A.. Creates the teacher training initiative fund for autism; appropriation.

The Minority voted in the negative.

N [AB 5484](#) By Lemondes, Jr., John (F). Relates to apportionment of public moneys to school districts employing eight or more teachers in high need districts.

The Minority voted in the negative.

N [AB 5494](#) By Lemondes, Jr., John (F). Relates to school resource officers.

The Minority voted in the negative.

N [AB 7319](#) By Jensen, Josh (F). Continues the New York state pathways in technology early college high school program in this state.

The Minority voted in the negative.

N [AB 8056](#) By Lawler, Michael V. (F). Relates to the provision of certain services to students in nonpublic schools in certain school districts.

The Minority voted in the negative.

N [AB 8116](#) By Lawler, Michael V. (F). Requires nonpublic schools to provide the same services that public schools currently provide to nonpublic schools; repealer.

Lawler pointed out the bill was meant to apply to school districts where more than 67 percent students attend private schools, bringing attention to the growing numbers of students in private schools and the financial impact this has on public school systems. The Chair said he was happy to work with Lawler to remedy this issue in the future.

The Minority voted in the negative.

N [AB 8426](#) By Walczyk, Mark. Enacts the "Learning for Work" act; appropriation.

Smith says this is a worthwhile program he looks forward to continuing to work towards achieving, adding he believes they are on the right track to get there.

The Minority voted in the negative.

N [AB 8649](#) By Goodell, Andrew. Legalizes, validates, ratifies and confirms the actions of the Panama central school district regardless of the failure of such district to timely file final building cost reports.

Lawler asked if the enacted budget addressed all school districts in the state with these issues. The Chair confirmed that was indeed the case.

The Minority voted in the negative.

N [AB 9312](#) By Lawler, Michael V. (F). Relates to the effect of mandates on school districts.

The Minority voted in the negative.

N [AB 9432](#) By Byrnes, Marjorie. Relates to school safety measures.

The Minority voted in the negative.

N [AB 9460](#) By Lawler, Michael V. (F). Establishes a continuing education fund for educators.

Lawler said this was a good idea and, as such, invited the Chair to take up the bill himself, offering his support for the bill in that event.

Speaking on the holds in general, McDonough said that, while he understands why Minority bills are held in committee he nonetheless believes a number of them to be good bills with potential bipartisan support. He invited members of the Democratic majority to adopt any legislation they may like and bring them to committee for a vote as their own, adding that the original Republican sponsor would be more than happy to sign on as co-sponsor.

The Minority voted in the negative.

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