

COUNTY OF CLINTON)

:SS

STATE OF NEW YORK)

February 17, 2015

Stenographer's minutes of the Regular Session of the Clinton County Legislature held on Wednesday, February 11, 2015 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Jonathan Beach, Area 2
Mark Dame, Area 8
Samuel Dyer, Chairperson, Area 3
John Gallagher, Area 9
Robert Hall, Area 10
Pete Keenan, Area 5
James Langley, Jr., Area 7
Harry McManus, Area 1
Colin Read, Area 4
Patty Waldron, Area 6

ALSO PRESENT: Michael E. Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
James Coffey, Esq., County Attorney
Melody Lemieux, Principal Stenographer

Chairperson Dyer called the meeting to order at 7:00 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. All Legislators were present.

Legislator Hall motioned to accept the minutes of the January 28th Regular Session, seconded by Legislator Keenan. (Carried 10-0-0).

Chairperson Dyer invited Legislator Beach and Thaddeus Morales to the podium. Legislator Beach presented Mr. Morales with an OTB Scholarship in the amount of \$500. Mr. Morales is a 2014 graduate of Northern Adirondack Central School and recently completed his first semester at the State University of New York at Plattsburgh where he is studying Computer Science and Audio/Radio Production.

Chairperson Dyer asked if anyone wished to address the Legislature.

Kristy Bezruczyk of 25 Bushey Boulevard in Plattsburgh, New York addressed the Legislature regarding her concerns with the Common Core State Standards Initiative. Ms. Bezruczyk, who is a member of the North Country Alliance for Public Education (which consists of parents and educators) provided copies of several resolutions which oppose the Common Core State Standards Initiative. Ms. Bezruczyk stated she is the mother of a third grader at Momot Elementary School and is also a Special Education teacher. As a mom, she sees detrimental effects of Common Core every day at home and while working at school. She urged the Clinton County Legislature to support the reintroduction and passage of New York State Assembly Bill 07994 (2013) and Senate Bill 06267 (2013), an Act to Amend the Education Law in Relation to the Common Core State Standards Initiative and the Race to the Top Program. (Copies of the distributed materials are attached and made part of the minutes).

There being no one else who wished to address the Legislature, Chairperson Dyer called for standing committee and liaison reports.

Committee Reports

Buildings and Grounds Committee – Legislator Read

Legislator Read reported the Buildings and Grounds Committee met earlier at 5:15 p.m. and discussed bids for the Human Services Center First Floor Renovation Project. Mr. Zurlo stated a resolution to award the bids will be placed on the agenda for the February 25th Regular Session.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the Children and Family Services Committee was polled on Resolutions #68 and #69 on the agenda. The next meeting is scheduled for Thursday, March 5th at 6:15 p.m.

County Operations Committee – Legislator Read

Legislator Read reported the Committee met earlier at 6:00 p.m. Resolution #70 on the agenda has been withdrawn. Resolutions #71 through #74 have been placed on the agenda as a result of the Committee's recommendation.

The next meeting is scheduled for Wednesday, March 11th at 6 p.m.

Finance Committee – Legislator Dame

Legislator Dame reported the Finance Committee met Wednesday, February 4th at 5:15 p.m. Kimberly Davis, the County Treasurer, reviewed sales tax, occupancy tax information and the distribution to school districts for State land payments. The Committee was provided with a copy of the Correction of Errors Report per Resolution #775 of November 12, 2014. Resolution #75 on the agenda will authorize a contract with Lumsden & McCormick, LLP. The Committee discussed an out-of-cycle Tobacco Settlement request for \$20,000 for the design and construction of an off-road 4.6 mile paved bicycle/pedestrian trail between the Village of Rouses Point and the Village of Champlain. There was a consensus to approve this request should these funds be necessary to meet the local match for the project. The next meeting is scheduled for Wednesday, March 4th at 5:15 p.m.

Health Committee – Legislator Beach

Legislator Beach reported the next meeting is scheduled for Thursday, March 5th at 5:15 p.m.

Human Services Committee – Legislator Keenan

Legislator Keenan reported the Human Services Committee met Wednesday, February 4th at 6 p.m. Steve Bowman, the Director of the Veterans' Service Agency, reviewed monthly statistics for November and December, 2014 and January, 2015. He provided a ten-year statistical review of the Veterans' Service Agency.

Crystal Carter, the Director of the Office for the Aging, discussed Resolutions #87 through #91 which have been placed on the agenda upon the recommendation of the Committee.

Lorrie Cook, the Director of Nursing at the Clinton County Nursing Home, discussed Resolutions #92 through #96 which have been placed on the agenda upon the recommendation of the Committee. The next meeting is scheduled for Wednesday, March 4th at 6 p.m.

Personnel Committee – Legislator Gallagher

Legislator Gallagher reported the Personnel Committee was polled on Resolutions #97 through #99 are included on the agenda this evening.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported the Plattsburgh International Airport Committee met briefly this evening to discuss change orders and implementing a more streamlined process. The next meeting is scheduled for Wednesday, February 25th at 5:15 p.m.

Public Safety Committee – Legislator Hall

Legislator Hall reported the Public Safety Committee met Monday, February 9th at 6:15 p.m. Andrew Wylie, the District Attorney, presented Resolution #101 which is included on the agenda. Richelle Gregory, the Director of the Child Advocacy Center, presented Resolution #100 which is included on the agenda.

Wendy Plympton, a Senior Stenographer with the Department of Emergency Services, presented

Resolutions #103 and #104 which are included on the agenda.

Frank Mercier, the Coordinator for STOP-DWI, reviewed the STOP-DWI Office Public Safety Report of January, 2015. Resolutions #107 through #109 are included on the agenda for the Sheriff's Department.

Dave Marcoux, the Director of Probation/ATI, presented Resolution #102 which is included on the agenda. Mr. Marcoux discussed Juvenile Justice Reform – Raise the Age – which would increase the age of a “Juvenile Delinquent” to 18 years old.

Justin Meyer, the Administrator of Legal Defense of Indigent Defendants, presented Resolutions #110 through #113 which are included on the agenda. Mr. Meyer discussed scholarships for continuing legal education programs and a subsidy for the purchase of written materials. He reported on a conference he attended in December, 2014 at the New York State Office of Indigent Legal Services in Albany.

The Committee discussed a proposed local law which would allow for common, safe items to be excluded from the “dangerous fireworks definition” as permitted by New York State Penal Law Section 405(b).

The next meeting is scheduled for Monday, March 9th at 6:15 p.m.

Transportation Committee – Legislator McManus

Legislator McManus reported the Transportation Committee met Monday, February 9th at 5:15 p.m. A public hearing for Clinton County Public Transit (CCPT) was recently held, and approximately seventeen individuals that use the system attended the public hearing and provided suggestions on ways to improve the service. Individuals indicated a need for Sunday bus services and Saturday dial-a-ride phone service. An additional meeting will be held Monday, February 23rd at 1 p.m. in the Community Room. Resolutions #115, #116 #118 and #119 are included on the agenda. Resolution #117 was withdrawn.

Liaison Reports

Chamber of Commerce – Legislator Read

Legislator Read reported the Chamber of Commerce recently held its annual dinner. The dinner was well attended.

Community Services – Legislator Beach

Mr. Zurlo reported Deputy County Administrator Rodney Brown assisted Peter Trout, the Director of Community Services, in applying for Delivery System Reform Incentive Payment (DSRIP) grant funding. Chairperson Dyer also provided a letter to the Champlain Valley Family Center supporting the establishment of an ambulatory detox program with an attached respite at the vacated Office of Children and Family Services buildings in Schuyler Falls, New York.

Board of Health – Legislator Beach

Legislator Beach reported PHAB moved up a step and is on the agenda for the next meeting for consideration of approval. Mr. Zurlo stated the County's re-submission, based on their comments after

the site visit, were well received.

Intercounty – Legislator Waldron

Legislator Waldron reported a joint meeting of the Western Intercounty Association and Intercounty Legislative Committee of the Adirondacks was held Wednesday, February 4th at the New York State Association of Counties (NYSAC) Legislative Conference in Albany, New York. Legislator Waldron reported a resolution to Oppose Executive 2015-2016 State Budget Proposal Concerning the Upstate Revitalization Account has been presented and will be discussed at the next Intercounty meeting in Hamilton County on Thursday, February 26th. As part of the 2015-2016 budget, Governor Cuomo would create the Upstate Revitalization Account in the amount of

\$1.5 billion. This account would be a one-time special initiative in which seven regional economic development areas would compete for one of three \$500 million upstate revitalization grants. The proposed resolution would request the Governor restructure the plan so that all upstate counties would share equitably by population in this funding rather than competing for the funding.

LC/LG Regional Planning Board – Legislator Langley

Legislator Langley reported documents for the Lake Champlain/Lake George Regional Planning Board have been signed and returned for payment.

Staff Reports

County Attorney James Coffey requested an Executive Session to discuss: the Castine litigation, the Risetto PERB hearing, the work history of an employee and a proposed settlement agreement, the potential litigation with the Town of Plattsburgh regarding ownership of water and sewer lines at the Airport, the potential purchase of real property by Clinton County and the CD Perry litigation against Clinton County.

There being no further business, Chairperson Dyer moved on to resolutions. The following resolutions were approved unless otherwise noted.

Resolutions #66 through #69 were approved.

Resolution #70 titled, “Authorizing Payment of Membership Dues – Weights and Measures” was withdrawn. Mr. Zurlo reported this item was approved by the County Operations Committee earlier today, and the resolution will be placed on the agenda for the February 25th Regular Session. Carried (10-0-0).

Resolutions #71 through #109 were approved.

Resolution #110 titled, “Authorizing Payment of Membership Dues – Assigned Counsel/Legislature” was moved by Legislator Hall, seconded by Legislator Keenan. Carried (10-0-0).

Discussion: Mr. Zurlo stated there are several Assigned Counsel resolutions on the agenda. The Legislative Office, in conjunction with the Administrator of Indigent Defendants, applied for a grant to increase the competency of the indigent defense system in Clinton County. These items are all funded under a grant, there is no County money involved.

Resolutions #111 through #116 were approved.

Resolution #117 titled, “Amending Resolution #863 dated November 25, 2014 titled, “Authorizing Various Contracts for the Year 2015 – Highway Department” was withdrawn.

Resolutions #118 through #123 were approved.

Legislator Hall motioned to Waive Rule 13.2, seconded by Legislator Waldron. (Carried 10-0-0).

Resolution #124 was approved.

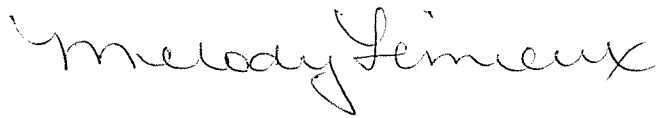
Legislator Hall motioned to enter into Executive Session at 7:47 p.m., seconded by Legislator Keenan. Carried (10-0-0).

Legislator Gallagher motioned to exit Executive Session at 8:51 p.m., seconded by Legislator Beach. Carried (10-0-0).

Resolution #125 titled, "Authorizing Agreement by and Between Clinton County, the Clinton County Sheriff's Department and Clinton County Civil Service Employees Association, Inc. Local 1000 AFSCME, AFL-CIO, Clinton County Sheriff's Unit 6450-01 of Local 884 – Legislative Office" was moved by Legislator Read, seconded by Legislator McManus. Carried (10-0-0)

There being no further business, Chairperson Dyer entertained a motion from Legislator Gallagher to adjourn Regular Session at 8:52 p.m., seconded by Legislator Keenan. (Carried 10-0-0).

Respectfully submitted,



Melody Lemieux
Principal Stenographer

:ML

Supporting The Reintroduction and Passage Of New York State Assembly Bill 07994(2013) And Senate Bill 06267(2013), An Act To Amend The Education Law, In Relation To The Common Core State Standards Initiative And The Race To The Top Program Referred to

WHEREAS, Assembly Bill 07994 and Senate Bill 06267 have been introduced in the 2013-2014 Legislative Session which amends Education Law Section 116 to discontinue implementation of the Common Core State Standards developed by the Common Core State Standards Initiative and declares any action taken to adopt or implement the common core state standards void; and

WHEREAS, in 2009 and 2010, New York State was offered the chance to compete for education funding through the unconstitutional "Race to the Top" program created by the U. S. Department of Education ("ED"); and

WHEREAS, the 10th Amendment of the Constitution for the United States of America specifically states, *"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people";* and

WHEREAS, the powers delegated to the federal government according to the United States Constitution are enumerated in Article I, Section 8, and nowhere in this section of the Constitution is education mentioned, meaning matters regarding education are the purview of the states or the people, not the federal government; and

WHEREAS, the only way to achieve a score in the "Race to the Top" competition sufficient to qualify for funding was to agree to "participation in a consortium of States that is working toward jointly developing and adopting a common set of K-12 standards"; and

WHEREAS, the consortium is an unconstitutional interstate compact that was not approved by Congress, in violation of the Compact Clause of the U.S. Constitution, Article I, Section 10, Clause 3; and

WHEREAS, the only such "common set of K-12 standards" existent at that time, or since, is known as the Common Core State Standards Initiative ("CCSSI"), which was developed without a grant of authority from any state; and

WHEREAS New York State was required to submit its "Race to the Top" Application for Phase 1 in January 2010 and for Phase 2 in May 2010; however the CCSSI were not released until June of 2010 meaning that New York State committed to the CCSSI before they were written; and

WHEREAS, local education officials, school leaders, teachers, and parents were not included in the discussion, evaluation and preparation of the CCSSI standards that would affect students in this State; and

WHEREAS, the National Assessment of Educational Progress national test already exists and allows comparisons of academic achievement to be made across the states, without the necessity of imposing national standards, curricula, or assessments; and

WHEREAS, imposing a set of national standards is likely to lead to the imposition of a national curriculum and national assessment upon the various states, in violation of the General Education Provisions Act, the Elementary and Secondary Education Act; and the Department of Education Organization Act; and

WHEREAS, "Race to the Top" funding for states is limited; \$350 million for consortia to develop new assessments aligned with the CCSI standards will not cover the entire cost of overhauling fifty state accountability systems, which includes implementation of standards and testing and associated professional development and curriculum restructuring; now, therefore be it

RESOLVED, that the _____ County Legislature emphatically urges New York state lawmakers to re-introduce and support the passage of New York State Assembly bill 07994 and Senate bill 06267 to discontinue the implementation of the Common Core State Standards developed by the Common Core State Standards Initiative which interfere with State, local and parental control of K-12 education; and, be it further

RESOLVED, that the _____ County Legislature urges the New York State Legislature to call for and fund an independent state-based approach to the improvement of the education system in New York; and, be it further

RESOLVED, the Clerk of the _____ County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Assembly and Senate Majority and Minority Leaders, Assembly and Senate Education Committee Chairmen, and all _____ County elected New York State Assemblymen and Senators.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:



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FOR IMMEDIATE RELEASE

November 18, 2014

Ulster County Legislators Voice Opposition to Federal Common Core Initiative

(KINGSTON, NY) While States across the Nation continue to reassess the Common Core State Standards, Ulster County Legislators lend their voice to the dialogue seeking a halting in the implementation of the Common Core Standards until an independent New York State initiated approach to improving the New York State education system is explored. The Ulster County Legislators recognized the standards were released in June 2010 and were given only 60 days to evaluate adopt them with no opportunity to modify for State specific needs or goals.

"With no local education officials, school leaders, teachers or parents participating in the any part of the discussion of standards that affect each and every one of our students, it is outrageous that our State Education Department leaders just signed away home rule and State control of our educational system," stated Craig Lopez, Ulster County Legislator from District 14 serving the Towns of Shawangunk and Wawarsing.

This focus on local input and control of student assessments was reiterated in Resolution No. 395-14 in seeking to allow local school districts to opt children with an individualized education program out of Common Core Standards. Legislators noted the IEP creates an opportunity for teachers, parents, school administrators, related services personnel and, when appropriate, the students themselves to work together to improve the educational results of children with disabilities.

"Assessing to a set standard, while a laudable goal, leaves little flexibility and results in a one-size fits all model," stated Peter Loughran, District No. 5 Legislator from the City of Kingston. "Ultimately, all children, but especially those with disabilities, deserve to be recognized as the individuals that they are. Educational assessments should be ensuring a long term growth spectrum that matches the individual student's ability."

Both Resolutions No. 350-14 and 395-14 passed the November 18th Ulster County Legislative Session and will be forwarded to the New York State Legislature to support the reintroduction of State legislation in their 2015-2016 Legislative Session.

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[Resolution Nos. 350-14 and 395-14 attached]

Supporting The Reintroduction and Passage Of New York State Assembly Bill 07994 And Senate Bill 06267, An Act To Amend The Education Law, In Relation To The Common Core State Standards Initiative And The Race To The Top Program

Referred to: The Legislative Programs, Education, and Community Services Committee (Chairman David Donaldson and Legislators Archer, Gregorius, Lopez, and Wawro)

Legislator Craig Lopez and Legislator Donaldson offer the following:

WHEREAS, Assembly Bill 07994 and Senate Bill 06267 have been introduced in the 2013-2014 Legislative Session which amends Education Law Section 116 to discontinue implementation of the common core state standards developed by the common core state standards initiative and declares any action taken to adopt or implement the common core state standards void; and

WHEREAS, in 2009 and 2010, New York State was offered the chance to compete for education funding through the "Race to the Top" program created by the U. S. Department of Education ("ED"); and

WHEREAS, the only way to achieve a score in the competition sufficient to qualify for funding was to agree to "participation in a consortium of States that is working toward jointly developing and adopting a common set of K-12 standards"; and

WHEREAS, the only such "common set of K-12 standards" existent at that time, or since, is known as the Common Core State Standards Initiative ("CCSSI") and was developed without a grant of authority from any state; and

WHEREAS, the CCSSI standards were released in June 2010, and to meet the ED "Race to the Top" requirements the State had only 60 days to evaluate them and agree to adopt them and were not offered an option to modify those standards before their adoption; and

WHEREAS, local education officials, school leaders, teachers, and parents were not included in the discussion, evaluation and preparation of the CCSSI standards that would affect students in this State; and

WHEREAS, the National Assessment of Educational Progress national test already exists and allows comparisons of academic achievement to be made across the states, without the necessity of imposing national standards, curricula, or assessments; and

Resolution No. 350 November 18, 2014

Supporting The Reintroduction and Passage Of New York State Assembly Bill 07994 And Senate Bill 06267, An Act To Amend The Education Law, In Relation To The Common Core State Standards Initiative And The Race To The Top Program

WHEREAS, imposing a set of national standards is likely to lead to the imposition of a national curriculum and national assessment upon the various states, in violation of the General Education Provisions Act, the Elementary and Secondary Education Act; and the Department of Education Organization Act; and

WHEREAS, when no less than 22 states face budget shortfalls and Race to the Top funding for states is limited, \$350 million for consortia to develop new assessments aligned with the CCSI standards will not cover the entire cost of overhauling state accountability systems, which includes implementation of standards and testing and associated professional development and curriculum restructuring; now, therefore be it

RESOLVED, that the Ulster County Legislature emphatically urges New York state lawmakers to re-introduce and support the passage of New York State Assembly bill 07994 and Senate bill 6267 to discontinue the implementation of the Common Core State Standards developed by the Common Core State Standards Initiative which interfere with State and local control of public schools; and, be it further

RESOLVED, that the Ulster County Legislature urges our New York State Legislature to get further involved in the current debate over Common Core, to halt implementation of the standards while a state initiative is pursued to do due diligence and perhaps take an independent state-based approach to the improvement of our education system in New York State; and, be it further

RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Assembly and Senate Majority and Minority Leaders, Assembly and Senate Education Committee Chairmen, and all Ulster County elected Assemblymen and Senators,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:

Resolution No. 350 November 18, 2014

**Supporting The Reintroduction and Passage Of New York State
Assembly Bill 07994 And Senate Bill 06267, An Act To Amend The
Education Law, In Relation To The Common Core State Standards
Initiative And The Race To The Top Program**

Postponed in Committee: Legislative Programs, Education, and Community Services
on October 15, 2014

Passed Committee: Legislative Programs, Education, and Community Services on
November 5, 2014

FINANCIAL IMPACT:
NONE

Supporting The Reintroduction and Passage Of New York State Assembly Bill 09253 And Senate Bill 06832, An Act To Amend The Education Law, In Relation To Allowing School Districts To Opt Children With An Individualized Education Program Out Of The "Common Core Standards" And Certain Testing

Referred to: The Legislative Programs, Education, and Community Services Committee (Chairman David Donaldson and Legislators Archer, Gregorius, Lopez, and Wawro)

Legislator Peter Loughran and Legislator Lopez offer the following:

WHEREAS, Assembly Bill 09253 and Senate Bill 06832 have been introduced in the 2013-2014 Legislative Session and amends Education Law Section 4402 to add a new subdivision; and

WHEREAS, new subdivision 8 allows any parent, legal guardian or school district to elect to opt a child with an established individualized education program out of any standardized test, including the "common core standards", or those tests administered pursuant to chapter one hundred three of the laws of two thousand ten; and

WHEREAS, Federal laws require that all students are assessed in English Language Arts, Math, Science and Social Studies; and

WHEREAS, each child in public school who receives special education and related services must have what is commonly referred to as an IEP or Individualized Education Program; and

WHEREAS, the IEP creates an opportunity for teachers, parents, school administrators, related services personnel and, when appropriate, students to work together to improve the educational results for children with disabilities; and

WHEREAS, currently testing accommodations do NOT include the ability to exempt a special needs student from participating in the common core curriculum and/or high stakes testing if those individuals working directly with the student on a daily basis feels it is appropriate and meets that particular student's needs; and

WHEREAS, this legislation will empower local School Districts in determining the methodology for assessing a child with an IEP using existing New York State standards that are appropriate and consistent with the child's individualized education plan; now, therefore be it

Resolution No. 395 November 18, 2014

Supporting The Reintroduction and Passage Of New York State Assembly Bill 09253 And Senate Bill 06832, An Act To Amend The Education Law, In Relation To Allowing School Districts To Opt Children With An Individualized Education Program Out Of The "Common Core Standards" And Certain Testing

RESOLVED, that the Ulster County Legislature emphatically urges New York state lawmakers to re-introduce and support the passage of New York State Assembly Bill 09253 and Senate Bill 06832 to allow School Districts to opt children with an individualized education program out of the "Common Core Standards" and certain testing; and, be it further

RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Assembly and Senate Majority and Minority Leaders, Assembly and Senate Education Committee Chairmen, and all Ulster County elected Assemblymen and Senators,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Legislative Programs, Education, and Community Services on November 5, 2014

FINANCIAL IMPACT:

NONE

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 18th Day of November, 2014, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of November in the year Two Thousand and Fourteen.

Isl Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

A07994 Summary:

BILL NO A07994

SAME AS SAME AS

SPONSOR Graf (MS)

COSPNSR McDonough, Montesano, Giglio, Blankenbush, Borelli, Lupinacci, Ceretto, Friend, Curran, Tenney, Corwin, McKeVitt, Hawley, Garbarino, Lalor, Crouch, Goodell, Duprey, McLaughlin, Katz, Raia, Stec, Tedisco, Palmesano, Butler, Kolb, Ra, Lopez P, DiPietro, Johns, Nojay, Malliotakis

MLTSPNSR Thiele

Add SS115 & 116, Ed L

Relates to the common core state standards initiative and the race to the top program.

A07994 Actions:

BILL NO A07994

06/13/2013 referred to education

01/08/2014 referred to education

A07994 Votes:

There are no votes for this bill in this legislative session.

A07994 Text:

S T A T E O F N E W Y O R K

7994

2013-2014 Regular Sessions

I N A S S E M B L Y

June 13, 2013

Introduced by M. of A. GRAF, McDONOUGH, MONTESANO, GIGLIO, BLANKENBUSH, BORELLI, RA, LUPINACCI, CERETTO, REILICH, FRIEND, CURRAN, TENNEY, CORWIN, MCKEVITT, HAWLEY, GARBARINO, LALOR, CROUCH, RABBITT, GOODELL, DUPREY, McLAUGHLIN, KATZ, RAIA -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to the common core state standards initiative and the race to the top program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The education law is amended by adding a new section 115 to
- 2 read as follows:
- 3 S 115. COMMON CORE STATE STANDARDS INITIATIVE. NOTWITHSTANDING ANY
- 4 PROVISION OF LAW TO THE CONTRARY, THE DEPARTMENT SHALL DISCONTINUE
- 5 IMPLEMENTATION OF THE COMMON CORE STATE STANDARDS DEVELOPED BY THE

6 COMMON CORE STATE STANDARDS INITIATIVE. ANY ACTION TAKEN TO ADOPT OR
7 IMPLEMENT THE COMMON CORE STATE STANDARDS ARE VOID.

8 S 2. The education law is amended by adding a new section 116 to read
9 as follows:

10 S 116. RACE TO THE TOP PROGRAM. NOTWITHSTANDING ANY PROVISION OF LAW
11 TO THE CONTRARY, THE DEPARTMENT SHALL DISCONTINUE IMPLEMENTATION OF THE
12 RACE TO THE TOP STANDARDS DEVELOPED BY THE RACE TO THE TOP PROGRAM. ANY
13 ACTION TAKEN TO ADOPT OR IMPLEMENT THE RACE TO THE TOP PROGRAM ARE VOID.

14 S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD11349-02-3

A07994 Memo:

BILL NUMBER:A7994

TITLE OF BILL: An act to amend the education law, in relation to the common core state standards initiative and the race to the top program

PURPOSE:

The purpose of this bill is to withdraw New York State from the common core and race to the top programs.

SUMMARY OF PROVISIONS:

Section 1 of the education law is amended by adding new section 115.

JUSTIFICATION:

The common core program and the race to the top program are having a detrimental impact on our children, parents, teachers, administrators, and our school budgets. These programs have shifted the emphasis away from actual learning, and instead have focused purely on testing and data collection.

The mandates that are required in order to comply with these programs are causing a great amount of frustration and uncertainty in our educational institutions. These programs have reduced the instructional time allocated to our children's educational experience.

The cost of implementation far exceed the amounts received from these programs and have become a financial burden upon our schools. These one-size-fits-all programs have proven to be unsuccessful, detrimental, and ineffective, and therefore the State of New York should and must withdraw from these programs immediately.

LEGISLATIVE HISTORY:

None.

EFFECTIVE DATE:

This act shall take effect immediately.