



ESSAA

Empire State Supervisors &
Administrators Association

Supporting school leaders. Every day.

LEGISLATIVE UPDATE

Spring 2024

After a relatively quiet start to the legislative season, the State legislature has been active in addressing several critical areas within the public education sector to foster a more inclusive, safe, and equitable learning environment. Below is the most relevant movement at the State level:

Spotlight on Priorities

APPR Updates (NY-AB 9849/S09054): The bills eliminate the requirement to use state assessments in teacher and principal evaluations, end the current requirement that student performance measures be included in teacher assessments and return teacher evaluations to local control.

ESSAA's stance: ESSAA supports the increased flexibility and local control provided by the APPR updates. By allowing districts to negotiate evaluation measures and procedures through collective bargaining, the bills recognize the unique needs and priorities of individual school communities. We encourage Governor Hochul to sign these bills into law.

Tier 6 Fix in the Recently Passed Budget: The recently passed state budget includes a fix for Tier 6 pension plans, which affects many school leaders and educators. The fix allows for a more equitable calculation of final average salary (FAS) for Tier 6 members, aligning it more closely with the calculations used for earlier pension tiers. This change will result in increased pension benefits for many Tier 6 members upon retirement.

ESSAA's stance: ESSAA applauds the inclusion of the Tier 6 fix in the state budget. We have long advocated for this change, as it addresses a significant disparity in pension benefits between Tier 6 and earlier tiers. This fix will help to ensure a more secure retirement for many of our dedicated school leaders and educators.

Cell Phone Use in Schools: Governor Kathy Hochul recently commented on the use of cell phones in schools, stating that while it is ultimately a decision for local school districts, she believes "there is no reason" for students to have access to phones during the school day. Hochul expressed concerns about cyberbullying and cheating, and suggested that students should be focused on their studies while in school.

ESSAA's stance: ESSAA supports local control over decisions regarding cell phone policies in schools. While we acknowledge the potential drawbacks of cell phone use cited by Governor Hochul, we believe that individual districts should have the flexibility to implement policies that best serve their students and communities.

Solutions Not Suspensions (S. 1040B): ESSAA previously opposed the Solutions Not Suspensions bill. Recent amendments to the bill have surfaced in the current legislative session, this time, without a companion bill. The bill comparison highlights the following relevant changes:

- It requires schools to consider a student's circumstances holistically when determining disciplinary actions.
- The bill now allows for suspensions in grades pre-K through 3 if necessary to comply with federal laws, such as the Gun Free Schools Act.
- The list of exceptions to suspension prohibitions has been narrowed to more serious offenses (Page 4, Line 8).

ESSAA's stance: We maintain ongoing concerns regarding the bill's potential impact on school safety and disciplinary effectiveness. While we do not anticipate that this bill will advance further this session, we will continue to monitor the progression of the bill and provide feedback to legislators as needed.