

2353

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. GANTT -- read once and referred to the Committee
on Governmental Operations

AN ACT to amend the public officers law, in relation to public access to
records of elementary and secondary schools

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

1 Section 1. The public officers law is amended by adding a new section
2 87-a to read as follows:
3 S 87-A. ACCESS TO CERTAIN RECORDS OF SCHOOLS. PARENTS OR GUARDIANS
4 SHALL HAVE ACCESS TO BOTH PHYSICAL AND ACADEMIC TESTING RECORDS OF THEIR
5 CHILD. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF
6 THIS ARTICLE SHALL BE DEEMED TO BE APPLICABLE TO AN ELEMENTARY OR
7 SECONDARY SCHOOL WHICH PROVIDES INSTRUCTION IN ACCORDANCE WITH SECTION
8 THIRTY-TWO HUNDRED FOUR OF THE EDUCATION LAW; AND FOR THE PURPOSES OF
9 THIS ARTICLE, "AGENCY" SHALL INCLUDE THE GOVERNING BOARD OR BODY OF SUCH
10 ELEMENTARY OR SECONDARY SCHOOL. FOR THE PURPOSES OF THIS SECTION, TEST-
11 ING RECORDS SHALL INCLUDE STATE ADMINISTERED EXAMS, SPECIAL EDUCATION
12 DETERMINATION EXAMS, HEARING EXAMS, SPEECH EXAMS, AND VISION EXAMS.
13 S 2. This act shall take effect on the first of September next
14 succeeding the date on which it shall have become a law.

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

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