

1257

2009-2010 Regular Sessions

I N   S E N A T E

January 28, 2009

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Introduced by Sen. SALAND -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to limiting the use of standardized tests for purposes of promotion and establishes criteria for a high school diploma

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 3204-a  
2     to read as follows:

3     S 3204-A. LIMITATION ON THE USE OF STANDARDIZED TESTS FOR PURPOSES OF  
4     PROMOTION; CRITERIA FOR HIGH SCHOOL DIPLOMA. 1. IN ALL PUBLIC SCHOOLS  
5     FROM KINDERGARTEN THROUGH THE EIGHTH GRADE, NO DECISION OR DETERMINATION  
6     AS TO THE PROMOTION OF A PUPIL TO A HIGHER GRADE SHALL BE BASED SOLELY  
7     ON THE OUTCOME OF A PUPIL'S PERFORMANCE ON A SINGLE STANDARDIZED TEST.

8     2. ANY DECISION OR DETERMINATION AS TO THE PROMOTION OF A PUPIL TO A  
9     HIGHER GRADE SHALL TAKE INTO CONSIDERATION THE QUALITY AND QUANTITY OF  
10    THE PUPIL'S CUMULATIVE ACADEMIC PERFORMANCE, INCLUDING BUT NOT LIMITED  
11    TO THE FOLLOWING COMPONENTS THEREOF:

12    A. ATTENDANCE;

13    B. CLASSROOM TESTS;

14    C. CLASS PROJECTS OR PORTFOLIOS;

15    D. CLASS PARTICIPATION; AND

16    E. EXTRA-CURRICULAR WORK.

17    3. THE COMMISSIONER SHALL PROMULGATE REGULATIONS FOR THE CRITERIA TO  
18    BE USED PURSUANT TO SUBDIVISION TWO OF THIS SECTION AND SHALL TRANSMIT  
19    SUCH REGULATIONS TO EACH SCHOOL DISTRICT WITHIN THE STATE.

20    4. A REGENTS COMPOSITE SCORE AS CALCULATED PURSUANT TO THIS SUBDIVI-  
21    SION SHALL BE CONSIDERED THE REGENTS SCORE ON SUCH REGENTS EXAMS AS THE  
22    COMMISSIONER MAY REQUIRE FOR PURPOSES OF A HIGH SCHOOL DIPLOMA. THE  
23    COMPONENTS OF A REGENTS COMPOSITE SCORE SHALL BE AS FOLLOWS:

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

LBD07264-01-9

1     A. SEVENTY-FIVE PERCENT OF SUCH SCORE SHALL BE COMPRISED OF THE GRADE  
2     ON THE REQUIRED REGENTS EXAM; AND

3     B. TWENTY-FIVE PERCENT OF SUCH SCORE SHALL BE COMPRISED OF COURSEWORK  
4     WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, CLASSROOM TESTS, CLASS  
5     PROJECTS, PORTFOLIOS, AND/OR CLASS PARTICIPATION IN SUCH MANNER AS SHALL  
6     BE DETERMINED BY EACH LOCAL SCHOOL DISTRICT, BUT SHALL NOT INCLUDE  
7     ATTENDANCE OR EXTRA-CURRICULAR WORK.

8     S 2. This act shall take effect on the first of July next succeeding  
9     the date on which it shall have become a law; provided that the board of  
10    regents of the University of the State of New York shall promulgate any  
11    and all rules and regulations and take any other measures necessary to  
12    implement this act on its effective date on or before such date.