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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public officers law is amended by adding a new section 87-a to read as follows:

S 87-A. ACCESS TO CERTAIN RECORDS OF SCHOOLS. PARENTS OR GUARDIANS SHALL HAVE ACCESS TO BOTH PHYSICAL AND ACADEMIC TESTING RECORDS OF THEIR CHILD. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROVISIONS OF THIS ARTICLE SHALL BE DEEMED TO BE APPLICABLE TO AN ELEMENTARY OR SECONDARY SCHOOL WHICH PROVIDES INSTRUCTION IN ACCORDANCE WITH SECTION THIRTY-TWO HUNDRED FOUR OF THE EDUCATION LAW; AND FOR THE PURPOSES OF THIS ARTICLE, "AGENCY" SHALL INCLUDE THE GOVERNING BOARD OR BODY OF SUCH ELEMENTARY OR SECONDARY SCHOOL. FOR THE PURPOSES OF THIS SECTION, TESTING RECORDS SHALL INCLUDE STATE ADMINISTERED EXAMS, SPECIAL EDUCATION DETERMINATION EXAMS, HEARING EXAMS, SPEECH EXAMS, AND VISION EXAMS.

S 2. This act shall take effect on the first of September next 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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