

5580

2011-2012 Regular Sessions

I N S E N A T E

June 3, 2011

Introduced by Sen. ESPAILLAT -- 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 establishing fair, equitable and appropriate English language testing requirements for certain students

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

- 1 Section 1. Section 305 of the education law is amended by adding a new  
2 subdivision 42 to read as follows:  
3 42. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO  
4 THE CONTRARY, THE COMMISSIONER, IN CONSULTATION WITH THE BOARD OF  
5 REGENTS, SHALL DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES WHICH WILL  
6 PERMIT PUPILS OF LIMITED ENGLISH PROFICIENCY WHO FIRST ENROLL IN A NEW  
7 YORK STATE SCHOOL AFTER GRADE EIGHT, AND WHO MEET ALL OTHER REQUIREMENTS  
8 FOR GRADUATION, TO BE ALLOWED TO MEET THE ENGLISH REGENTS EXAMINATION  
9 REQUIREMENT BY:  
10 (A) PASSING A NATIVE LANGUAGE ARTS TEST; AND  
11 (B) DEMONSTRATING ENGLISH LANGUAGE ACQUISITION AT A LEVEL COMMENSURATE  
12 WITH THE NUMBER OF YEARS OF ENGLISH LANGUAGE INSTRUCTION AS MEASURED BY  
13 AN ENGLISH LANGUAGE PROFICIENCY ASSESSMENT INSTRUMENT APPROVED BY THE  
14 COMMISSIONER.  
15 S 2. This act shall take effect immediately and shall apply beginning  
16 in the 2012-2013 school year.

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

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