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

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I N A S S E M B L Y

March 13, 2014

Introduced by M. of A. CRESPO, CAMARA, RAMOS, ROSA, ARROYO, MOYA, RODRIGUEZ, SEPULVEDA, DAVILA, PICHARDO, RIVERA -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to prohibiting college learning assessment exams in colleges in the state

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

Section 1. The education law is amended by adding a new section 208-b to read as follows:

S 208-B. COLLEGIATE LEARNING ASSESSMENT EXAMS PROHIBITED. 1. THE BOARD OF REGENTS IS PROHIBITED FROM INSTITUTING OR ADMINISTERING A COLLEGIATE LEARNING ASSESSMENT EXAM AT ANY COLLEGE IN THE STATE.

2. ANY COLLEGE RECEIVING AID UNDER ARTICLE ONE HUNDRED TWENTY-NINE OF THIS CHAPTER SHALL FORFEIT SUCH AID WHERE THE INSTITUTION REQUIRES STUDENT PARTICIPATION IN A COLLEGIATE LEARNING ASSESSMENT EXAM.

3. WHERE A COLLEGE REQUIRES STUDENT PARTICIPATION IN A COLLEGIATE LEARNING ASSESSMENT EXAM AND STATE AID HAS BEEN DISTRIBUTED PURSUANT TO ARTICLE ONE HUNDRED TWENTY-NINE OF THIS CHAPTER, SUCH COLLEGE SHALL RETURN THE FULL AMOUNT OF STATE AID BY THE END OF THE FISCAL YEAR IN WHICH THE COLLEGIATE LEARNING ASSESSMENT EXAM TOOK PLACE.

4. FOR COLLEGES THAT ADMINISTER A COLLEGIATE LEARNING ASSESSMENT EXAM AND DO NOT RECEIVE AID PURSUANT TO ARTICLE ONE HUNDRED TWENTY-NINE OF THIS CHAPTER AND/OR FORGO SUCH AID, THEIR COLLEGIATE LEARNING ASSESSMENT SCORES SHALL BE FILED WITH THE COMMISSIONER AND SUCH INFORMATION SHALL BE COMPILED AND MADE AVAILABLE TO THE PUBLIC VIA THE DEPARTMENT'S WEB SITE.

5. FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "COLLEGIATE LEARNING ASSESSMENT" MEANS A STANDARDIZED TESTING INITIATIVE IN HIGHER EDUCATION EVALUATION AND ASSESSMENT WHICH USES A "VALUE-ADDED" OUTCOME MODEL TO EXAMINE A COLLEGE OR UNIVERSITY'S CONTRIBUTION TO STUDENT LEARNING WHICH RELIES ON THE INSTITUTION, RATHER THAN THE INDIVIDUAL STUDENT, AS THE PRIMARY UNIT OF ANALYSIS. THE COLLEGIATE LEARNING ASSESSMENT MEASURES ARE DESIGNED TO TEST FOR CRITICAL

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

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THINKING, ANALYTIC REASONING, PROBLEM SOLVING, AND WRITTEN COMMUNICATION SKILLS. THE ASSESSMENT CONSISTS OF OPEN-ENDED QUESTIONS.

(B) "COLLEGE" SHALL HAVE THE SAME MEANING AS SUCH TERM IS DEFINED IN SUBDIVISION TWO OF SECTION TWO OF THIS CHAPTER.

S 2. This act shall take effect immediately.