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

7460

2015-2016 Regular Sessions

I N A S S E M B L Y

May 12, 2015

Introduced by M. of A. FAHY, McDONALD, BICHOTTE, GUNTHER, KAMINSKY, BARRETT, STIRPE, KIM, LIFTON, SIMON, MOSLEY, BUCHWALD, SKOUFIS, JAFFEE, GOTTFRIED, COLTON, RAIA, STEC, BRINDISI, LUPINACCI, DUPREY, CUSICK, COOK, ZEBROWSKI -- Multi-Sponsored by -- M. of A. MAGEE -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to readability standards for standardized assessments

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 319 to read as follows:

S 319. READABILITY STANDARDS FOR STANDARDIZED ASSESSMENTS. STATE ADMINISTERED STANDARDIZED ENGLISH LANGUAGE ARTS OR MATHEMATICS ASSESSMENTS FOR GRADES THREE THROUGH EIGHT SHALL BE PRESENTED AT A READABILITY LEVEL THAT IS GRADE-LEVEL APPROPRIATE.

S 2. In order to implement the provisions of section one of this act, the commissioner of education shall:

(1) no later than September 1, 2016 complete an initial review of state administered standardized English language arts or mathematics assessments for grades three through eight to review the readability of such assessments prior to the administration of such assessments. If it is determined from the initial review that the assessments are not grade-level appropriate, the education department shall make the necessary changes to such assessments to ensure that they are presented at a readability level that is grade-level appropriate prior to the administration of such assessments.

(2) consult with relevant stakeholders, as determined by the commissioner of education, and consider the use of comprehension and readability indices or tests such as those established by the Flesch-Kincaid Grade Level, Gunning Fog Index, Coleman-Liau Index, SMOG Index, Auto-

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

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mated Readability Index, or other readily available and nationally accepted readability indices and tests.

S 3. This act shall take effect immediately; provided, however that section one of this act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the commissioner of education is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date, on or before such date.