

# STATE OF NEW YORK

11304

## IN ASSEMBLY

August 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Colton) --  
read once and referred to the Committee on Education

AN ACT to amend the administrative code of the city of New York, in  
relation to requiring the New York city department of education to  
create more gifted and talented programs and classes

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The administrative code of the city of New York is amended  
2 by adding a new section 21-974.1 to read as follows:

3 § 21-974.1 Gifted and talented programs and classes. Notwithstanding  
4 any other provision of law, rule, regulation or local law to the contra-  
5 ry, the department shall direct:

6 a. All schools with elementary kindergarten through fifth grade with  
7 four or more classes per grade shall have at least one class per grade  
8 for top performing students who gain entry through academic merit rather  
9 than through an admissions examination. All schools with intermediate  
10 sixth through eighth grade with four or more classes per grade shall  
11 have at least one class per grade for top performing students who gain  
12 entry through academic merit rather than through an admissions examina-  
13 tion.

14 b. All school districts shall have at least one district gifted and  
15 talented program for elementary kindergarten through fifth grade with  
16 admissions based on the current admissions standard. All school  
17 districts shall have at least one district gifted and talented program  
18 for intermediate sixth through eighth grade with admissions based on an  
19 examination that uses a competitive and objective measure of scholastic  
20 achievement; provided, however, that any student in a gifted and  
21 talented program for elementary kindergarten through fifth grade pursu-  
22 ant to this subdivision shall receive automatic admission to a gifted  
23 and talented program for intermediate sixth through eighth grade.

24 § 2. This act shall take effect on the one hundred twentieth day after  
25 it shall have become a law. Effective immediately, the addition, amend-  
26 ment and/or repeal of any rule or regulation necessary for the implemen-  
27 tation of this act on its effective date are authorized to be made and  
28 completed on or before such effective date.

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

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