STATE OF NEW YORK

7091--A

2017-2018 Regular Sessions

IN ASSEMBLY

April 4, 2017

Introduced by M. of A. CRESPO, PICHARDO, RODRIGUEZ, RIVERA, ARROYO, DAVILA, DILAN, DE LA ROSA, ORTIZ, RAMOS, BLAKE, AUBRY, PERRY, BARRON, KIM, WALKER, DICKENS, HYNDMAN, MOSLEY, SIMON, WRIGHT -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the executive 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:

§ 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 or university in the state for purposes other than internal assessment by that college or university.

2. Any college or university chartered by the regents or incorporated by special act of the legislature that maintains a campus in New York is prohibited from using collegiate learning assessment exams for any purpose except assessment of institutional effectiveness, course readiness of an individual student, or internal assessment.

3. Individual collegiate learning assessment exam results shall be considered private student information and may not be released by any college or university without the express written permission of the student test taker.

4. No part of this section shall prohibit or curtail the use of standardized tests as defined in section three hundred forty of this chapter.

5. For purposes of this section, the following terms shall have the following meanings:

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

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(a) "collegiate learning assessment" means a standardized test including, but not limited to proprietary tests such as the collegiate learning assessment and the CLA+.

(b) "college" shall have the same meaning as such term is defined in subdivision two of section two of this chapter.

§ 2. Section 296 of the executive law is amended by adding a new subdivision 1-b to read as follows:

1-b. It shall be an unlawful discriminatory practice for an employer, labor organization, employment agency or any joint labor-management committee controlling apprentice training program:

(a) to use the result of a collegiate learning assessment, as defined in section two hundred eight-b of the education law, in the hiring or retaining of any person for employment purposes; or

(b) to compel any person to provide them with the results of a collegiate learning assessment, as defined in section two hundred eight-b of the education law, for employment purposes.

§ 3. This act shall take effect immediately.