

# STATE OF NEW YORK

9697

## IN ASSEMBLY

February 5, 2020

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the  
Committee on Education

AN ACT to amend the education law, in relation to expanding access to  
advanced courses to improve educational equity

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

1 Section 1. The education law is amended by adding a new section 817 to  
2 read as follows:

3 § 817. Expanding access to advanced courses to improve educational  
4 equity. 1. Definitions. As used in this section the following terms  
5 shall have the following meanings:

6 a. "Advanced course" means as follows: (i) in middle school, any  
7 course that leads to a high school level regents examination or any  
8 honors, gifted, or accelerated course; and (ii) in high school, any  
9 honors, gifted, accelerated, advanced placement, international baccalau-  
10 reate, or dual or concurrent enrollment course or program.

11 b. "Early college and career experiences" means dual or concurrent  
12 enrollment courses and programs, work-based learning opportunities,  
13 apprenticeships, and courses or examinations for which a student may  
14 earn college credit or an industry-recognized certification.

15 c. "Educational agency" means a school district or public elementary  
16 or secondary school.

17 d. "Parent" means a parent, legal guardian, or person in parental  
18 relation to a student.

19 2. Providing transparency and support for parents and students. a.  
20 Starting with the two thousand twenty--two thousand twenty-one school  
21 year, each educational agency shall annually provide notification to  
22 parents and students of the benefits and the opportunities within the  
23 educational agency of participating in advanced courses and other early  
24 college and career experiences.

25 b. For students in grades five through six, such notification shall  
26 include:

27 (i) a clear and understandable description of the middle and high  
28 school courses students should take in order to be prepared for entry

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

LBD14615-02-0

1 and success in college, the workforce, and active citizenship, including  
2 but not limited to advanced courses;

3 (ii) language advising students and parents of the benefits of partic-  
4 ipating in advanced courses and other early college and career experi-  
5 ences; and

6 (iii) a description of the advanced courses offered by the school  
7 district in middle and high school and how to prepare for and enroll in  
8 them.

9 c. For students preparing to enter grades seven through twelve, such  
10 notification shall occur by January first of each school year or two  
11 weeks before registration for classes for the upcoming school year,  
12 whichever is earlier, and shall include:

13 (i) a clear and understandable description of the courses students  
14 should take in the applicable grade span in order to be prepared for  
15 entry and success in college, the workforce, and active citizenship,  
16 including but not limited to advanced courses;

17 (ii) language advising students and parents of the benefits of partic-  
18 ipating in advanced courses and other early college and career experi-  
19 ences;

20 (iii) a description of the advanced courses and early college and  
21 career experiences to be offered by the school and school district in  
22 the following school year; and

23 (iv) a description of the academic and non-academic support the school  
24 and school district provide to help students succeed in advanced cours-  
25 es, as well as any financial assistance available to reduce or eliminate  
26 any costs associated with participation in advanced courses, including  
27 but not limited to related fees, supplies, and assessments.

28 d. Notification under this subdivision shall be provided in no fewer  
29 than the five most commonly spoken languages in the educational agency,  
30 provided that, if an educational agency has a policy to provide informa-  
31 tion in more than five languages, the educational agency shall adhere to  
32 such policy.

33 e. Notification under this subdivision shall be provided electron-  
34 ically or by mail and be posted on the educational agency's website.

35 f. The department shall develop model notification templates for use  
36 by educational agencies and shall translate such model notifications  
37 into no fewer than the ten most commonly spoken languages in the state.

38 3. Automatic enrollment in advanced courses. a. Starting with the two  
39 thousand twenty-one--two thousand twenty-two school year, each school  
40 district shall adopt a policy providing for automatic enrollment in  
41 advanced coursework. Such policy shall automatically enroll any student  
42 entering grades seven through twelve who demonstrates readiness as  
43 provided in this subdivision in the next level of advanced course  
44 offered by the educational agency. Such policy shall include automatic  
45 enrollment in advanced courses in English language arts, math, and  
46 science, and may include any additional subjects as determined by the  
47 educational agency.

48 b. Students shall be able to demonstrate readiness using one of multi-  
49 ple measures on a list promulgated by the commissioner specifying such  
50 measures. Such list shall include, but shall not be limited to, scoring  
51 proficient or advanced on a statewide assessment, and shall include  
52 other measures, applied to all students enrolled in the educational  
53 agency, that, in the judgment of the educational agency, is an indicator  
54 that a student demonstrates the ability to succeed in an advanced  
55 course.

1 c. The educational agency shall notify students and parents that the  
2 student has demonstrated readiness for one or more advanced courses  
3 pursuant to paragraph b of this subdivision.

4 d. If the number of students eligible for automatic enrollment in  
5 advanced courses exceed the available number of seats in such courses,  
6 the educational agency may include additional eligibility criteria for  
7 students to participate in advanced courses, provided that the criteria  
8 does not result in inequities or disparities in access to advanced  
9 courses or programs.

10 e. An educational agency shall permit a parent of a student to remove  
11 the student from an advanced course in which the student has been auto-  
12 matically enrolled and to exempt the student from any automatic enroll-  
13 ment in advanced courses.

14 § 2. This act shall take effect immediately.