STATE OF NEW YORK

3750

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. DeSTEFANO, B. MILLER, DiPIETRO, McDONOUGH, SALKA -- read once and referred to the Committee on Education

AN ACT to prohibit the use of state examinations to calculate a student's overall grade point average

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

Section 1. 1. The commissioner of education shall provide that no school district or board of cooperative educational services may place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language arts or mathematics assessment for grades three through eight, provided that nothing herein shall be construed to interfere with required state or federal reporting or to excuse a school district from maintaining or transferring records of such test scores separately from a student's permanent record, including for purposes of required state or federal reporting.

2. The commissioner of education shall provide that any test results on a state administered standardized English language arts or mathematics assessment for grades three through eight sent to parents or persons in parental relation to a student include a clear and conspicuous notice that such results will not be included on the student's official transcript or in the student's permanent record and are being provided to the student and parents for diagnostic purposes.

3. Notwithstanding any other provision of law, rule or regulation to the contrary, the English language arts and mathematics state assessments for grades three through eight shall not be utilized in any manner to evaluate, grade, or otherwise determine eligibility for advancement in grades of any student.

§ 2. This act shall take effect July 1, 2021.

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

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