STATE OF NEW YORK

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2021-2022 Regular Sessions

IN SENATE

January 7, 2021

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed 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 Assembly, do enact as follows:

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

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

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

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

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

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

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

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

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

(i) a clear and understandable description of the middle and high school courses students should take in order to be prepared for entry and success in college, the workforce, and active citizenship, including but not limited to advanced courses;

(ii) language advising students and parents of the benefits of participating in advanced courses and other early college and career experiences; and

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

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

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

(ii) language advising students and parents of the benefits of participating in advanced courses and other early college and career experiences;

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

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

d. Notification under this subdivision shall be provided in no fewer than the five most commonly spoken languages in the educational agency, provided that, if an educational agency has a policy to provide information in more than five languages, the educational agency shall adhere to such policy.

e. Notification under this subdivision shall be provided electronically or by mail and be posted on the educational agency's website.

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

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

b. Students shall be able to demonstrate readiness using one of multiple measures on a list promulgated by the commissioner specifying such measures. Such list shall include, but shall not be limited to, scoring proficient or advanced on a statewide assessment, and shall include other measures, applied to all students enrolled in the educational

agency, that, in the judgment of the educational agency, is an indicator that a student demonstrates the ability to succeed in an advanced course.

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

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

e. An educational agency shall permit a parent of a student to remove the student from an advanced course in which the student has been automatically enrolled and to exempt the student from any automatic enrollment in advanced courses.

§ 2. This act shall take effect immediately.