

# STATE OF NEW YORK

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3445--A

2021-2022 Regular Sessions

## IN SENATE

January 29, 2021

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Introduced by Sens. ADDABBO, HOYLMAN, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, 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 an objective examination. All school districts shall  
17 have at least one district gifted and talented program for intermediate  
18 sixth through eighth grade with admissions based on an examination that  
19 uses a competitive and objective measure of scholastic achievement;  
20 provided, however, that any student in a gifted and talented program for  
21 elementary kindergarten through fifth grade pursuant to this subdivision

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

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1 shall receive automatic admission to a gifted and talented program for  
2 intermediate sixth through eighth grade.

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