STATE OF NEW YORK

9542

IN SENATE

August 26, 2022

Introduced by Sen. JORDAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to the awarding of posthumous high school diplomas

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

Section 1. This act shall be known and may be cited as "Daniel's Diploma Law".

§ 2. Section 305 of the education law is amended by adding a new subdivision 29-d to read as follows:

29-d. (a) The commissioner shall develop a program whereby school districts shall issue a high school diploma to a deceased student, at the request of the student's parent, guardian or custodian, if the student:

(i) was enrolled in a public school in the district at the time of death;

(ii) was academically on track at the time of death to receive a diploma at the end of the school year in which the student died; and

(iii) died after the completion of the eleventh grade school year or the equivalent of such year.

(b) A diploma issued pursuant to this subdivision may not be issued before the graduation date of the class in which the student was enrolled at the time of death. A school district shall not be required to award a diploma to a deceased student at the same ceremony or event as other graduating students.

(c) Nothing in this subdivision shall limit the retroactive issuance of a high school diploma. Diplomas issued under this section shall not count toward student graduation counts or for any other purpose of federal and state accountability data collection.

(d) For purposes of this subdivision, "school year" includes any summer session following the spring semester.

§ 3. This act shall take effect immediately.

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

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