STATE OF NEW YORK

2162

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. COLTON, AUBRY, DINOWITZ, REYES, THIELE, SAYEGH, COOK, DeSTEFANO, BRAUNSTEIN, HEVESI, HYNDMAN, CRUZ, D. ROSENTHAL, RIVERA, DARLING, WEPRIN, WILLIAMS, McDONOUGH, DAVILA -- read once and referred to the Committee on Education

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:

Section 1. The administrative code of the city of New York is amended by adding a new section 21-974.1 to read as follows:

§ 21-974.1 Gifted and talented programs and classes. Notwithstanding any other provision of law, rule, regulation or local law to the contrary, the department shall direct:

a. All schools with elementary kindergarten through fifth grade with four or more classes per grade shall have at least one class per grade for top performing students who gain entry through academic merit rather than through an admissions examination. All schools with intermediate sixth through eighth grade with four or more classes per grade shall have at least one class per grade for top performing students who gain entry through academic merit rather than through an admissions examination.

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

LBD04178-01-3

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

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.