

# STATE OF NEW YORK

8104

## IN SENATE

January 8, 2024

Introduced by Sen. TEDISCO -- 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 posthumous awarding of high school diplomas

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

1 Section 1. Section 3204 of the education law is amended by adding a  
2 new subdivision 6 to read as follows:

3 6. Posthumous awarding of diplomas. The board of education or the  
4 board of trustees of each school district shall establish a policy and  
5 adopt procedures permitting the district to confer a diploma on a  
6 student posthumously if, at the time of death, such student had  
7 completed the eleventh grade class of a public school in the district  
8 and was enrolled or expected to be enrolled in the twelfth grade class  
9 within the same public school district the following school year. The  
10 policy and procedures shall address the district's coordination with the  
11 parents or guardians of the deceased student concerning the method for  
12 conferring such a diploma, including but not limited to, site of presen-  
13 tation, identity of a proxy recipient, family attendance at the high  
14 school graduation ceremony, and scope of recognition and/or partic-  
15 ipation, if any, at the high school graduation ceremony, and shall  
16 further provide for annual written notice to all students and their  
17 parents or guardians about the school district's policy and procedures  
18 adopted in accordance with this subdivision. Nothing in this subdivision  
19 shall require a school district to issue a diploma before the graduation  
20 date of the deceased student's high school graduating class or require  
21 the family of a deceased student to attend or participate in a high  
22 school graduation ceremony or related activities. Diplomas conferred in  
23 accordance with this subdivision shall not be applied toward student  
24 graduation counts or for any other purpose of federal or state account-  
25 ability data collection.

26 § 2. This act shall take effect on the sixtieth day after it shall  
27 have become a law.

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

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