

STATE OF NEW YORK

1675

2023-2024 Regular Sessions

IN SENATE

January 13, 2023

Introduced by Sens. ADDABBO, BORRELLO, HOYLMAN-SIGAL, LANZA, STAVISKY --
read twice and ordered printed, and when printed to be committed 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 Assem-
bly, 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
22 shall receive automatic admission to a gifted and talented program for
23 intermediate sixth through eighth grade.

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

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