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:

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

6. Posthumous awarding of diplomas. The board of education or the board of trustees of each school district shall establish a policy and adopt procedures permitting the district to confer a diploma on a student posthumously if, at the time of death, such student had completed the eleventh grade class of a public school in the district and was enrolled or expected to be enrolled in the twelfth grade class within the same public school district the following school year. The policy and procedures shall address the district's coordination with the parents or guardians of the deceased student concerning the method for conferring such a diploma, including but not limited to, site of presentation, identity of a proxy recipient, family attendance at the high school graduation ceremony, and scope of recognition and/or participation, if any, at the high school graduation ceremony, and shall further provide for annual written notice to all students and their parents or guardians about the school district's policy and procedures adopted in accordance with this subdivision. Nothing in this subdivision shall require a school district to issue a diploma before the graduation date of the deceased student's high school graduating class or require the family of a deceased student to attend or participate in a high school graduation ceremony or related activities. Diplomas conferred in accordance with this subdivision shall not be applied toward student graduation counts or for any other purpose of federal or state accountability data collection.

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

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

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