

# STATE OF NEW YORK

8821--A

## IN SENATE

March 15, 2024

Introduced by Sens. SEPULVEDA, GOUNARDES, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, the correction law, and the administrative code of the city of New York, in relation to changing the name of the general education development diploma to the Excelsior high school diploma

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

1 Section 1. Section 317 of the education law, as added by chapter 170  
2 of the laws of 1994, is amended to read as follows:

3 § 317. [~~General education development~~] Excelsior high school diploma  
4 exam. Notwithstanding any provision of law, no fee shall be established  
5 for admission to the [~~general education development~~] Excelsior high  
6 school diploma exam.

7 § 2. Section 305 of the education law is amended by adding a new  
8 subdivision 61 to read as follows:

9 61. The commissioner shall promulgate rules and regulations to change  
10 the name of the state high school equivalency diploma, as established  
11 pursuant to section 100.7 of title eight of the New York codes, rules  
12 and regulations, to the Excelsior high school diploma.

13 § 3. Subdivision 19 of section 2 of the correction law, as amended by  
14 chapter 322 of the laws of 2021, is amended to read as follows:

15 19. "Vocational and skills training facility" means a correctional  
16 facility designated by the commissioner to provide a vocational and  
17 skills training program ("VAST") to incarcerated individuals who need  
18 such service before they participate in a work release program. The VAST  
19 facility shall provide intensive assessment, counseling, job search  
20 assistance and where appropriate academic and vocational instruction to  
21 program participants. Such assistance may include an assessment of any  
22 incarcerated individual's education attainment level and skills apti-  
23 tudes; career counseling and exploration; the development of a compre-  
24 hensive instructional plan including identification of educational and

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

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1 training needs that may extend beyond the date of entry into work  
2 release; instructional programs including [~~GED~~] Excelsior high school  
3 diploma preparation or post-secondary instruction as appropriate; occu-  
4 pational skills training; life skills training; employment readiness  
5 including workplace behavior; and job search assistance. The department  
6 and the department of labor shall jointly develop activities providing  
7 career counseling, job search assistance, and job placement services for  
8 participants. Nothing contained in this section shall be deemed to modi-  
9 fy the eligibility requirements provided by law applicable to incarcer-  
10 ated individuals participating in a work release program.

11 § 4. The 7th undesignated paragraph of subdivision a of section 9-151  
12 of the administrative code of the city of New York, as added by local  
13 law number 168 of the city of New York for the year 2017, is amended to  
14 read as follows:

15 High school equivalency diploma test. The term "high school equivalen-  
16 cy diplomacy test" means any test offered by the New York state educa-  
17 tion department for the purpose of establishing the equivalent of a high  
18 school diploma, including, but not limited to, a [~~general-education~~  
19 ~~development~~] Excelsior high school diploma test or the test assessing  
20 secondary completion.

21 § 5. Subdivision a of section 21-408 of the administrative code of the  
22 city of New York, as added by local law number 86 of the city of New  
23 York for the year 2018, is amended to read as follows:

24 a. Definitions. For the purposes of this section, the term "test  
25 assessing secondary completion (TASC)" means the [~~New-York-state~~]  
26 Excelsior high school [~~equivalency~~] diploma test which replaced the  
27 General Education Development (GED) as the primary pathway to [~~a-New~~  
28 ~~York-state~~] an Excelsior high school [~~equivalency~~] diploma.

29 § 6. Subdivision b and paragraph 4 of subdivision c of section 21-703  
30 of the administrative code of the city of New York, as added by local  
31 law number 23 of the city of New York for the year 2003, are amended to  
32 read as follows:

33 b. If an applicant, recipient or participant who is eligible for  
34 education or training as set forth in subdivision c of this section  
35 expresses an intention or preference to the agency to enroll in educa-  
36 tion, training or vocational rehabilitation, or if an applicant's,  
37 recipient's or participant's assessment indicates that [~~he-or-she~~] such  
38 applicant, recipient or participant lacks basic literacy, a secondary  
39 school diploma, or a [~~general-equivalency~~] Excelsior high school diploma  
40 [~~(GED)~~] or otherwise indicates that education, training or vocational  
41 rehabilitation would enhance the individual's ability to obtain and  
42 maintain employment, then the agency shall offer such applicant, recipi-  
43 ent or participant the opportunity to enroll in an approved program or  
44 programs, provided that such approved program or programs can be classi-  
45 fied as countable work activities.

46 4. An applicant, recipient or participant is eligible to participate  
47 in a [~~GED~~] Excelsior high school diploma program if [~~s/he~~] such appli-  
48 cant, recipient or participant has attained basic literacy but has not  
49 received a secondary school diploma.

50 § 7. The 20th undesignated paragraph of subdivision a of section  
51 21-902.1 of the administrative code of the city of New York, as amended  
52 by local law number 145 of the city of New York for the year 2016, is  
53 amended to read as follows:

54 Test assessing secondary completion (TASC). The term "test assessing  
55 secondary completion (TASC)" means the [~~New-York-state~~] Excelsior high  
56 school [~~equivalency~~] diploma test which replaced the general education

1 development examination as the primary pathway to [~~a New York state~~] an  
2 Excelsior high school [~~equivalency~~] diploma.

3 § 8. The 11th undesignated paragraph of subdivision a of section  
4 21-924 of the administrative code of the city of New York, as added by  
5 local law number 21 of the city of New York for the year 2024, is  
6 amended to read as follows:

7 High school equivalency diploma test. The term "high school equivalen-  
8 cy diploma test" means any test that the New York state education  
9 department offers for the purpose of establishing the equivalent of a  
10 high school diploma, including, but not limited to, a [~~general education~~  
11 ~~development~~] Excelsior high school diploma test or the test assessing  
12 secondary completion.

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