§ 340. Definitions. As used in this article: 1. "Standardized test" or "test" means any test that is given in New York at the expense of the test subject and designed for use and used in the process of selection for post-secondary or professional school admissions. Such tests shall include, but are not limited to, the Preliminary Scholastic Aptitude Test, Scholastic Aptitude Test, ACT Assessment, Graduate Record Examination, Medical College Admission Test, Law School Admission Test, Dental Admission Testing Program, Graduate Management Admission Test, Miller Analogies Test and the Test for Standard Written English. This article shall not apply to any state, federal, or local civil service test, any test used solely for placement, credit-by-examination or other nonadmission purpose or any test developed and administered by an individual school or institution solely for its own purposes or any test, or portion of a test, designed to evaluate manual skills or other physical abilities.

2. "Commissioner" means the commissioner of education of the state of New York.

3. "Test subject" means an individual to whom a test is administered.

4. "Test agency" means any organization, association, corporation, partnership, or individual or person that develops, sponsors or administers a test.

5. "Part" means each portion of a test for which a score is calculated.

6. "Test form" means the test booklet or instrument used for each part of each test.

7. "Pretest question" means any question or group of questions on a test not used to calculate the reported scores of a test subject, nor used to equate scores for that test.

8. "Test year" means the twelve-month period commencing September first during which the test agency administers a particular test.

9. "Computerized test" means any test form administered to test subjects by means of a computer.