

Supporting The Reintroduction and Passage Of New York State Assembly Bill 09253 And Senate Bill 06832, An Act To Amend The Education Law, In Relation To Allowing School Districts To Opt Children With An Individualized Education Program Out Of The “Common Core Standards” And Certain Testing

Referred to: The Legislative Programs, Education, and Community Services Committee (Chairman David Donaldson and Legislators Archer, Gregorius, Lopez, and Wawro)

Legislator Peter Loughran and Legislator Lopez offer the following:

WHEREAS, Assembly Bill 09253 and Senate Bill 06832 have been introduced in the 2013-2014 Legislative Session and amends Education Law Section 4402 to add a new subdivision; and

WHEREAS, new subdivision 8 allows any parent, legal guardian or school district to elect to opt a child with an established individualized education program out of any standardized test, including the “common core standards”, or those tests administered pursuant to chapter one hundred three of the laws of two thousand ten; and

WHEREAS, Federal laws require that all students are assessed in English Language Arts, Math, Science and Social Studies; and

WHEREAS, each child in public school who receives special education and related services must have what is commonly referred to as an IEP or Individualized Education Program; and

WHEREAS, the IEP creates an opportunity for teachers, parents, school administrators, related services personnel and, when appropriate, students to work together to improve the educational results for children with disabilities; and

WHEREAS, currently testing accommodations do NOT include the ability to exempt a special needs student from participating in the common core curriculum and/or high stakes testing if those individuals working directly with the student on a daily basis feels it is appropriate and meets that particular student’s needs; and

WHEREAS, this legislation will empower local School Districts in determining the methodology for assessing a child with an IEP using existing New York State standards that are appropriate and consistent with the child’s individualized education plan; now, therefore be it

