

2018 SESSION

SENATE SUBSTITUTE

18105946D

SENATE BILL NO. 238

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on January 25, 2018)

(Patron Prior to Substitute—Senator DeSteph)

A BILL to amend and reenact § 22.1-4.2 of the Code of Virginia, relating to collection of student demographic data.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-4.2 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-4.2. Designation of race or ethnicity.

A. School board employees administering tests or other assessment instruments shall not require any public elementary school students being tested to disclose their race or ethnicity on such tests.

Nothing in this ~~section~~ subsection shall, however, prevent relevant school division personnel from obtaining such information from the students' permanent record and placing such information on such test or assessment instrument.

B. No student or his parent shall be required to disclose information related to the student's race or ethnicity unless (i) the student or his parent is given an option to designate "other" for the student's race or ethnicity or (ii) such disclosure is required by federal law.

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