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SENATE BILL NO. 1753

Offered January 18, 2019

A *BILL to amend and reenact § 22.1-4.2 of the Code of Virginia, relating to school boards; race and ethnicity data.*

Patron—DeSteph

Referred to Committee on Education and Health

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 school students being tested to disclose their race or ethnicity on such tests.

Nothing in this subsection shall, however, prevent relevant school division personnel from obtaining such information from ~~the students'~~ *a student's* 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. *When such disclosure is required by federal law, no local school board shall use such disclosed information for any purpose other than compliance with the relevant federal law.*

C. *For the purposes of a student's permanent record, each local school board shall obtain information related to such student's race or ethnicity in a manner consistent with clause (i) of subsection B.*

INTRODUCED

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