

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-4.2 of the Code of Virginia, relating to collection of student*
3 *demographic data.*

4
5 Approved

[S 238]

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-4.2 of the Code of Virginia is amended and reenacted as follows:**8 **§ 22.1-4.2. Designation of race or ethnicity.**

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

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

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

ENROLLED

SB238ER