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I N   S E N A T E

February 11, 2010

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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to requiring the commissioner of education to cause all schools to obtain written permission prior to collecting biometric information on pupils

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 305 of the education law is amended by adding a new  
2     subdivision 42 to read as follows:  
3     42. THE COMMISSIONER SHALL CAUSE ALL SCHOOL DISTRICTS AND CHARTER  
4     SCHOOLS TO OBTAIN WRITTEN PERMISSION FROM THE PARENTS OR GUARDIANS OF  
5     PUPILS IT INTENDS TO COLLECT BIOMETRIC INFORMATION ON PRIOR TO COLLECT-  
6     ING SUCH INFORMATION. SUCH SCHOOLS SHALL PROVIDE WRITTEN NOTICE TO THE  
7     PARENTS OR GUARDIANS OF PUPILS IT INTENDS TO COLLECT BIOMETRIC INFORMA-  
8     TION ON AT LEAST THIRTY DAYS PRIOR TO COLLECTION. THE WRITTEN NOTICE  
9     SHALL CONTAIN A STATEMENT INFORMING THE PARENT OR GUARDIAN THAT THEY  
10    MUST GIVE WRITTEN PERMISSION BEFORE A SCHOOL CAN COLLECT BIOMETRIC  
11    INFORMATION FROM THE PUPIL. THE COMMISSIONER SHALL PROMULGATE REGU-  
12    LATIONS NECESSARY TO IMPLEMENT THIS SUBDIVISION.  
13    S 2. This act shall take effect on the first of July next succeeding  
14    the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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