S T A T E O F N E W Y O R K

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I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. NOLAN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring schools that offer continuing education adult classes to maintain student records for a minimum of ten years

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

Section 1. Subdivision 3 of section 4604 of the education law, as added by chapter 90 of the laws of 1986, is amended to read as follows:

3. The commissioner is authorized and directed to promulgate rules and regulations THAT REQUIRE SUCH CONTINUING EDUCATION ADULT SCHOOLS to:

A. MAINTAIN STUDENT RECORDS AND TRANSCRIPTS FOR A MINIMUM OF TEN YEARS;

B. NOTIFY THE STUDENTS OF SUCH SCHOOL THAT SUCH RECORDS AND TRANSCRIPTS SHALL BE MAINTAINED FOR A MINIMUM OF TEN YEARS; AND

C. provide for the notification of participants in adult continuing education schools of the emergency procedures to be followed in the event of fire.

S 2. The education law is amended by adding a new section 115 to read as follows:

S 115. CONTINUING EDUCATION ADULT SCHOOL RECORDS. 1. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS REQUIRING ANY SCHOOL THAT OFFERS CONTINUING EDUCATION ADULT CLASSES TO:

A. MAINTAIN STUDENT RECORDS AND TRANSCRIPTS FOR A MINIMUM OF TEN YEARS, AND

B. INFORM STUDENTS THAT SUCH RECORDS AND TRANSCRIPTS WILL BE MAINTAINED FOR A MINIMUM OF TEN YEARS.

2. FOR THE PURPOSES OF THIS SECTION:

A. THE TERM "CONTINUING EDUCATION ADULT CLASSES" SHALL MEAN CLASSES, FOR WHICH A FEE IS CHARGED, THAT ADHERE TO THE GUIDELINES SET FORTH IN SUBDIVISION ONE OF SECTION FORTY-SIX HUNDRED FOUR OF THIS CHAPTER;

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

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B. THE TERM "SCHOOL" SHALL INCLUDE, BUT NOT BE LIMITED TO ANY COLLEGE, UNIVERSITY, ACADEMY, HIGH SCHOOL, COMMUNITY COLLEGE OR CITY UNIVERSITY OF THE STATE OF NEW YORK.

S 3. This act shall take effect immediately.