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

1144

2011-2012 Regular Sessions

I N S E N A T E

January 5, 2011

Introduced by Sens. PARKER, PERKINS -- 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:

Section 1. Section 305 of the education law is amended by adding a new subdivision 42 to read as follows:

42. THE COMMISSIONER SHALL CAUSE ALL SCHOOL DISTRICTS AND CHARTER SCHOOLS TO OBTAIN WRITTEN PERMISSION FROM THE PARENTS OR GUARDIANS OF PUPILS IT INTENDS TO COLLECT BIOMETRIC INFORMATION ON PRIOR TO COLLECTING SUCH INFORMATION. SUCH SCHOOLS SHALL PROVIDE WRITTEN NOTICE TO THE PARENTS OR GUARDIANS OF PUPILS IT INTENDS TO COLLECT BIOMETRIC INFORMATION ON AT LEAST THIRTY DAYS PRIOR TO COLLECTION. THE WRITTEN NOTICE SHALL CONTAIN A STATEMENT INFORMING THE PARENT OR GUARDIAN THAT THEY MUST GIVE WRITTEN PERMISSION BEFORE A SCHOOL CAN COLLECT BIOMETRIC INFORMATION FROM THE PUPIL. THE COMMISSIONER SHALL PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THIS SUBDIVISION.

S 2. This act shall take effect on the first of July next succeeding 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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