

6042

I N   S E N A T E

(PREFILED)

January 4, 2012

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Introduced by Sen. MONTGOMERY -- 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 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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 3 of section 4604 of the education law, as  
2     added by chapter 90 of the laws of 1986, is amended to read as follows:  
3     3. The commissioner is authorized and directed to promulgate rules and  
4     regulations THAT REQUIRE SUCH CONTINUING EDUCATION ADULT SCHOOLS to:  
5     A. MAINTAIN STUDENT RECORDS AND TRANSCRIPTS FOR A MINIMUM OF TEN  
6     YEARS;  
7     B. NOTIFY THE STUDENTS OF SUCH SCHOOL THAT SUCH RECORDS AND TRAN-  
8     SCRIPTS SHALL BE MAINTAINED FOR A MINIMUM OF TEN YEARS; AND  
9     C. provide for the notification of participants in adult continuing  
10    education schools of the emergency procedures to be followed in the  
11    event of fire.  
12    S 2. The education law is amended by adding a new section 115 to read  
13    as follows:  
14    S 115. CONTINUING EDUCATION ADULT SCHOOL RECORDS. 1. THE COMMISSIONER  
15    SHALL PROMULGATE RULES AND REGULATIONS REQUIRING ANY SCHOOL THAT OFFERS  
16    CONTINUING EDUCATION ADULT CLASSES TO:  
17    A. MAINTAIN STUDENT RECORDS AND TRANSCRIPTS FOR A MINIMUM OF TEN  
18    YEARS, AND  
19    B. INFORM STUDENTS THAT SUCH RECORDS AND TRANSCRIPTS WILL BE MAIN-  
20    TAINED FOR A MINIMUM OF TEN YEARS.  
21    2. FOR THE PURPOSES OF THIS SECTION:  
22    A. THE TERM "CONTINUING EDUCATION ADULT CLASSES" SHALL MEAN CLASSES,  
23    FOR WHICH A FEE IS CHARGED, THAT ADHERE TO THE GUIDELINES SET FORTH IN  
24    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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1       B. THE TERM "SCHOOL" SHALL INCLUDE, BUT NOT BE LIMITED TO ANY COLLEGE,  
2 UNIVERSITY, ACADEMY, HIGH SCHOOL, COMMUNITY COLLEGE OR CITY UNIVERSITY  
3 OF THE STATE OF NEW YORK.  
4       S 3. This act shall take effect immediately.