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

4569

2013-2014 Regular Sessions

I N S E N A T E

April 11, 2013

Introduced by Sen. HOYLMAN -- 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 restricting the distribution of students' personally identifying information and directing the commissioner of the department of education to develop appropriate regulations regarding permitted disclosure of such information

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

Section 1. The education law is amended by adding a new section 2-c to read as follows:

S 2-C. DISCLOSURE OF STUDENT INFORMATION. 1. NO PUBLIC ELEMENTARY OR SECONDARY SCHOOL OR COLLEGE AS DEFINED IN SECTION TWO OF THIS ARTICLE, OR CHARTER SCHOOL AS DESCRIBED IN ARTICLE FIFTY-SIX OF THIS CHAPTER SHALL SELL OR OTHERWISE RELEASE PERSONALLY IDENTIFYING INFORMATION REGARDING ANY STUDENT TO ANY THIRD PARTY.

2. EVERY STUDENT SHALL BE ASSIGNED A UNIQUE IDENTIFICATION NUMBER BY USE OF WHICH THE STUDENT'S INFORMATION AND INDIVIDUAL REPORTS MAY BE ACCESSED BY THE STUDENT'S SCHOOL ADMINISTRATORS, GUIDANCE COUNSELORS AND TEACHERS AND BY THE STUDENT'S PARENTS.

3. THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL NOT PROHIBIT THE USE BY THE SCHOOL DISTRICT OR THE STATE OF UNIDENTIFIED AGGREGATE DATA FOR THE PURPOSE OF TRACKING SCHOOL ATTENDANCE, CURRICULUM TRACKING AND OVERALL STUDENT PROGRESS, AND FOR APPLICATION OR QUALIFICATION FOR FEDERAL FUNDS.

S 2. The commissioner of the department of education is authorized and directed to promulgate all rules, regulations and guidelines he or she deems necessary to allow parents or guardians to consent to the disclosure of their child's information to private third parties and to implement the provisions of this act on or before its effective date.

S 3. This act shall take effect on the first of July next succeeding the date upon which it shall have become a law and shall apply to all school years commencing on or after such date.

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

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