STATE OF NEW YORK

7988

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. MAYER -- 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 retaining records relating to certain acts of alleged misconduct

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 1128-a of the education law, as added by chapter 180 of the laws of 2000, is amended to read as follows:

2. A report which is made pursuant to this article and does not, after investigation, result in a criminal conviction shall be expunged from any record which may be kept by a school or school district with respect to the subject of such a report after a period of five years from the date of the making of such report or at such earlier time as such school, or school district, as the case may be, determines**, provided that such school or school district may retain such records related to alleged misconduct covered by paragraph (f) of subdivision three of section 30.10 of the criminal procedure law or subdivision (b) of section two hundred eight of the civil practice law and rules for the duration of the statute of limitations**.

§ 2. This act shall take effect immediately.

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

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