



## Legislation Text

---

**File #:** Res 1768-2013, **Version:** A

---

### Res. No. 1768-A

Resolution calling upon the New York State Legislature to pass and the Governor to sign, A.6059-A/S.5932, legislation that would protect student privacy by prohibiting the release of personally identifiable student information without consent.

By Council Members Brewer, Jackson, Lander, Arroyo, Barron, Chin, Comrie, Dickens, Dromm, Eugene, Gentile, James, Mark-Viverito, Palma, Rose, Williams, Wills, Weprin, Gennaro, Van Bramer and Recchia

Whereas, The New York State Education Department (NYSED) has partnered with inBloom Inc., a nonprofit provider of technology services that allows states and public school districts to integrate student data and third-party applications;

Whereas, According to NYSED's website, the purpose of this partnership is to assist in creating an education data portal to provide educators, students and families with "high quality data tools and educational content to support our schools in delivering excellent instruction while transitioning to the Common Core;" and

Whereas, The data is intended to be used to chart individualized progress made by students and also to be used by third parties such as commercial vendors, to solicit families based on a child's academic needs; and

Whereas, Some parents and advocates have expressed concern about using students' information in this manner; and

Whereas, In addition, numerous concerns have been raised about privacy and the system's ability to protect this data once stored in cyberspace; and

Whereas, It has been reported that inBloom, Inc. has stated that it cannot guarantee the security of the information stored or that the information will not be intercepted when it is being transmitted; and

Whereas, Furthermore, it has been noted that many parents are not even aware of these plans; and

Whereas, Due in part to these concerns, legislation has been introduced in both houses of the New York

State Legislature; and

Whereas, This legislation, A.6059-A/S.5932, would protect student privacy by prohibiting the re-disclosure of personally identifiable information about individual students to third parties unless there is parental consent, or a student who is 18 years of age or older consents, or unless certain exceptions apply; and

Whereas, While it is understandable that technology will continue to play a larger role in all aspects of education including administratively, it is imperative that families have a voice in how this is done; and

Whereas, Until more information is known about this process, the NYSED should refrain from moving forward with current plans with inBloom, Inc.; and

Whereas, Student information should be guarded fervently and shared sparingly and only when in the best interest of the student and his/her family; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign, A.6059-A/S.5932, legislation that would protect student privacy by prohibiting the release of personally identifiable student information without consent.

JP/JA  
9/26/13  
LS#4609, 4626, 4683