



## Legislation Text

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### Res. No. 820

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1037/A.423 to require public schools to obtain prior written consent from parents or eligible students before releasing their personal information to third party contractors.

By Council Members Won, Joseph, Farías, Krishnan, Hanif, Gutiérrez, Hudson, Cabán and Brewer

Whereas, Currently, the New York City (NYC) Department of Education (DOE) shares students' names, parents' names, mailing addresses, ZIP codes, and grade levels with outside vendors; and

Whereas, The NYC DOE allows families to opt out of, rather than allowing them to opt into, the sharing of that information by filling out and submitting a form for each child by a specific deadline-a practice that has caused parents to complain about being targeted for marketing without their consent; and

Whereas, S.1037, introduced on January 9, 2023, by State Senator Robert Jackson, representing the 31st State Senate District in Manhattan, would amend the State education law to require the written consent of public school parents or eligible students before their personal information can be provided to a third party contractor (specifically, to a shared learning infrastructure service provider or a data dashboard operator), which might use that information for commercial gain; and

Whereas, Companion bill A.423, introduced on January 9, 2023, by State Assembly Member Harvey Epstein, representing the 74th State Assembly District in Manhattan, would provide for the same restriction on releasing personal data of public school students to third party contractors; and

Whereas, S.1037/A.423 would require the NYC DOE to change from using its opt-out system requiring parents to opt out of sharing their information by submitting a removal form to implementing an opt-in system requiring the NYC DOE to obtain written consent before sharing any personal information about students; now,

therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.1037/A.423 to require public schools to obtain prior written consent from parents or eligible students before releasing their personal information to third party contractors, who might use that information for commercial gain.

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